VILLAGE OF LAKE ODESSA PLANNING COMMISSION REGULAR MEETING

PROPOSED AGENDA

MONDAY, JULY 28, 2025 - 6:00 P.M. PAGE MEMORIAL BUILDING 839 FOURTH AVENUE LAKE ODESSA, MI 48849

- 1. <u>Call to Order / Roll Call</u>
- 2. <u>Approval of Agenda</u>
- 3. Public Comment

Under the Open Meetings Act, any citizen may come forward at this time and make comment on items that appear on the agenda. Comments will be limited to three minutes per person. Anyone who would like to speak shall state his/her name and address for the record. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

- 4. Minutes: To approve the meeting minutes from the following Planning Commission meetings:
 - a. Minutes from the special Planning Commission meeting of June 17, 2025
- 5. Public Hearing:
 - a. Type II Home Occupation Business Permit to allow a software engineering business at 1022 Lakeview Drive
- 6. <u>Action and Discussion items</u>:
 - a. Consider Approving Special Use Permit Home Occupation Business Application 1022 Lakeview Drive
 - b. Review Special Use Permit Home Occupation Business Application 1501 Tupper Lake Street
 - c. Planned Development Preapplication Conference with Indigo Design and Copperrock Construction
- 7. Board Member Comments
- 8. Adjournment

VILLAGE OF LAKE ODESSA PLANNING COMMISSION

MINUTES

SPECIAL MEETING TUESDAY, JUNE 17, 2025 - 7:00 p.m.

Page Memorial Building Lake Odessa, Michigan

The meeting was called to order at 7:08 pm by Vice-Chairperson Ben DeJong.

ROLL CALL

Commissioners present: Ben DeJong, Karen Banks, Beth Barrone, Ken Misiewicz

Commissioners absent: Gregg Guetschow, Meg Wheeler

Staff present: Clerk/Treasurer Kathy Forman, Zoning Administrator Jeanne Vandersloot

APPROVAL OF THE AGENDA

Motion by Misiewicz, supported by Banks, to approve the agenda. All ayes; motion carried 4-0.

PUBLIC COMMENT

None

MINUTES

Motion by Banks, supported by Misiewicz, to approve minutes from the Regular Planning Commission meeting of May 14, 2025. All ayes; motion carried 4-0.

PUBLIC HEARING

a. Motion by Banks, supported by Misiewicz, to open the public hearing regarding the Type II Home Occupation Business Permit to allow a barbershop business at 526 Tupper Lake Street. All ayes; motion carried 4-0.

The public hearing was opened at 7:10 pm.

Vice-Chairperson DeJong asked for public comment and none was heard. The Public Hearing was noticed per state law and no written comments were received.

Motion by Banks, supported by Barrone, to close the public hearing. All ayes; motion carried 4-0.

The public hearing was closed at 7:15 pm.

b. Motion by Misiewicz, supported by Banks, to open a public hearing regarding the Proposed amendment language changes for Zoning Ordinance Section 36-66 Minor Site Plan Amendments and Revisions. All ayes; motion carried 4-0.

The public hearing was opened at 7:13 pm.

Vice-Chairperson DeJong asked for public comment and none was heard. The Public Hearing was noticed per state law and no written comments were received.

Motion by Banks, supported by Barrone, to close the public hearing. All ayes; motion carried 4-0.

The Public Hearing was closed at 7:15 pm.

ACTION AND DISCUSSION ITEMS

a. Consider Approving Special Use Permit – Home Occupation Business Application – 526 Tupper Lake Street.

Discussion took place about the 10-20 cars per day. This was determined to be acceptable.

Motion by Banks, supported by Barrone to approve the Special Use Permit – Home Occupation Business Application for 526 Tupper Lake Street. All ayes; motion carried 4-0.

b. Consider Recommending Amendment to Zoning Ordinance Sec. 36-66 to Village Council for Approval.

Motion by Banks, supported by Barrone, to recommend the text amendment as proposed to Village Council. All ayes; motion carried 4-0.

c. Review Special Use Permit – Home Occupation Business Application – 1022 Lakeview Drive.:

David Mercer spoke to the commission about his application. Commissioners asked questions.

Motion by Banks, supported by Barrone, to move the application for special use permit forward to a public hearing to be held on July 28, 2025 at 6:00 pm. All ayes; motion carried 4-0.

d. Review Zoning Ordinance Sec. 36-134 (3) (b) (4)

Discussion took place. It was decided that more information was necessary on this topic.

Motion by Banks, supported by Misiewicz, to table this review until the regular Planning Commission meeting on Monday, July 28, 2025. All ayes; motion carried 4-0.

COMMISSION MEMBER COMMENTS

Banks - None

Barrone – None

DeJong - None

Misiewicz – None

ADJOURNMENT

Motion by Banks, supported by Barrone, to adjourn the meeting. All ayes; motion carried 4-0. Meeting adjourned at 7:37 p.m.

Respectfully submitted,

Kathy Forman

Village Clerk / Treasurer

David Mercer

Owner, MercOlogy LLC 1022 Lakeview Dr, Lake Odessa, MI 4884 david.mercer@mercology.net 317 341-4373



June 4, 2025

Lake Odessa Planning Commission

c/o Village of Lake Odessa Page Memorial Building 839 Fourth Avenue Lake Odessa, MI 48849



BY: Kathy Forman

RE: Request to Be Added to June 17, 2025 Agenda – Type 2 Home Occupation Special Use Application

Dear Members of the Planning Commission,

I respectfully submit this cover letter along with my completed application for a Type 2 Home Occupation Special Use Permit for your review. I am requesting to be added to the agenda for the June 2025 Planning Commission meeting so that the public hearing can be scheduled and the permitting process can proceed without unnecessary delay.

As the sole proprietor of **MercOlogy LLC**, a software engineering business operated entirely online, I plan to use a 301 sq ft portion of the second floor of a new garage on my property as a private home office. The nature of my work is entirely digital, with no in-person client interactions, no employees beyond myself, no deliveries or pickups, and no impact on traffic, noise, or neighborhood character.

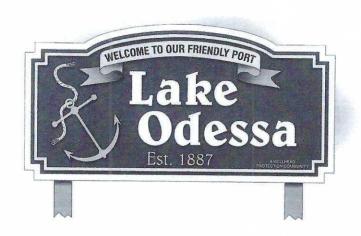
Timely approval of this application is critical, as the construction timeline for the garage and office space is coordinated with contractors and suppliers. Any delay in obtaining approval would result in missed scheduling windows, increased construction costs, and disruption to my ability to efficiently manage business operations from home. With the detached garage currently under architectural design and construction preparations underway, I respectfully request that this matter be placed on the upcoming agenda so it may move forward in a timely fashion.

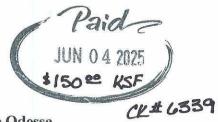
I am fully committed to complying with the Village of Lake Odessa zoning requirements and maintaining the integrity and peaceful character of my neighborhood. I appreciate the Commission's consideration and your service to the community.

Please let me know if any additional documentation is needed in advance of the meeting.

Singerely,

Owner, MercOlogy LLC





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

Phone: (616) 374-7110

Phone Numbers (

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 Software engineering and consulting services conducted entirely online. Business activities include software development, client communication, and project management, all performed via computer with internet access. Property Information Address 1022 Lakeview Drive, Lake Odessa, MI 48849 Parcel Number 34-101-190-000-095-00 Legal Description (may attach copy) VILLAGE OF LAKE ODESSA SWEITZER S ADDITION LOT 21 ODESSA TWP, IONIA COUNTY, MICH Applicant Information Name David and Joy Mercer Address 1022 Lakeview Drive City Lake Odessa State MI Zip 48849 Phone Numbers (317) 341-4373 (317) 418-4392 Property Owner Information (if different from applicant) Name Address _____ State ____ Zip ____

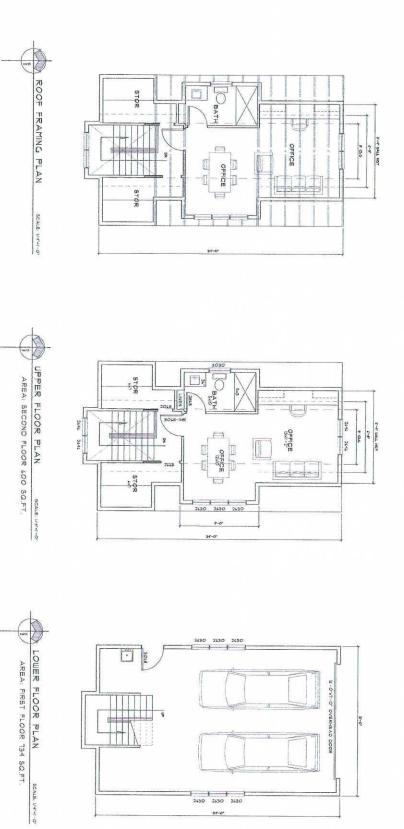
Home Occupation Business Application (page 2)

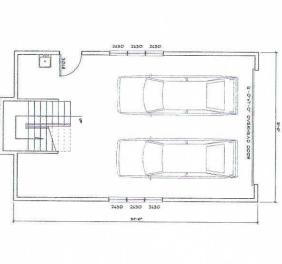
Present Zoning District
R-1 Single Family Residential (confirm based on zoning map)
Present Use of the Property
Single-family primary residence with an accessory garage.
Site Plan
Include a scaled site plan showing the dwelling and any existing structures or the proposed location of
any new construction 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.
<u>Employees</u>
Number of people working at the home occupation business living at the home One*
*only the owner/operator resides and works at the residence. No other employees
Describe hours you are open for business Monday to Friday, 9:00am-5:00pm. No client visits or deliveries are expected on site
Waste Materials
Describe type of waste materials and disposal methods No hazardous or unusual waste. Only typical office waste such as paper and packaging, which will be disposed of through regular residential waste services.
mpacts on Area
Describe any anticipated levels of noise, odor, glare, dust, fumes and method of lessoning impact
No impact is anticipated. Noise: Minimal, limited to typical computer usage. Odor, Glare, Dust, Fumes: None. Mitigation: Use limited to
Fraffic Levels fully enclosed space; all operations are digital
Describe anticipated customer traffic volumes per day
No anticipated customer or client traffic. All business is conducted remotely via email and web meetings. No on-site visits or foot traffic.
Other Information
Describe any other additional information that is pertinent to your business proposal The proposed office use of a portion of the second floor of the detached garage will preserve the
esidential character of the neighborhood. The business will not create any visible signs of commercial
activity, and there will be no outdoor signage, no stockpiling of materials, and no additional parking demand beyond the current household use.
The use is consistent with the intent of the ordinance to allow low-impact home-based businesses while
naintaining neighborhood character.

Home Occupation Business Application (page 3)

<u>Affidavit</u>

I certify and affirm that I am either the tenant or the property or building owner and the applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this complete to the best of my knowledge. I hereby give permission for representatives to read and will abide by the home occupation business regulations.	application is accurate and
Applicant Signature Squad Mulel Con Mule Date	6/4/2005
Applicant Signature Property Owner Signature Applicant Signature Applicant Signature Applicant Signature Applicant Signature Applicant Signature	Date 6/4/ 2025
Zoning Administrator Use	
Received date	
Public Hearing date	
Application Approved Date	
Conditions of Approval	
Application Denied Date	
Reason for Denial	
Neason for Deflial	
Planning Commission Chairperson Signature	Date





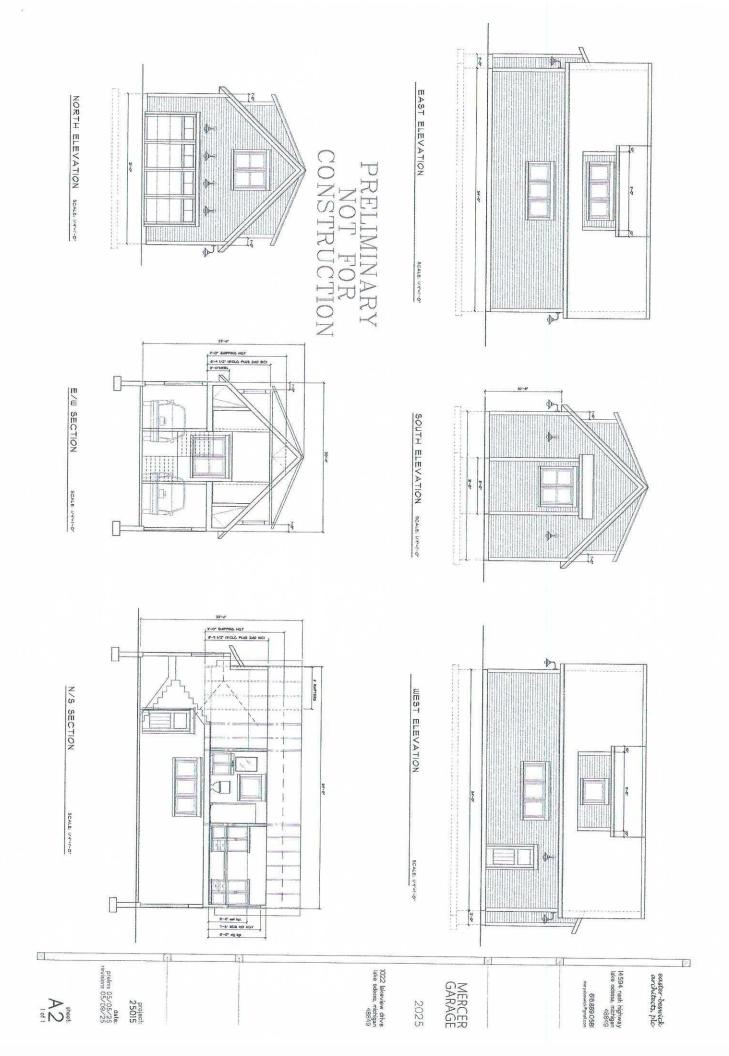
1022 lakeview drive lake odessa, michigan 48849 MERCER GARAGE 2025

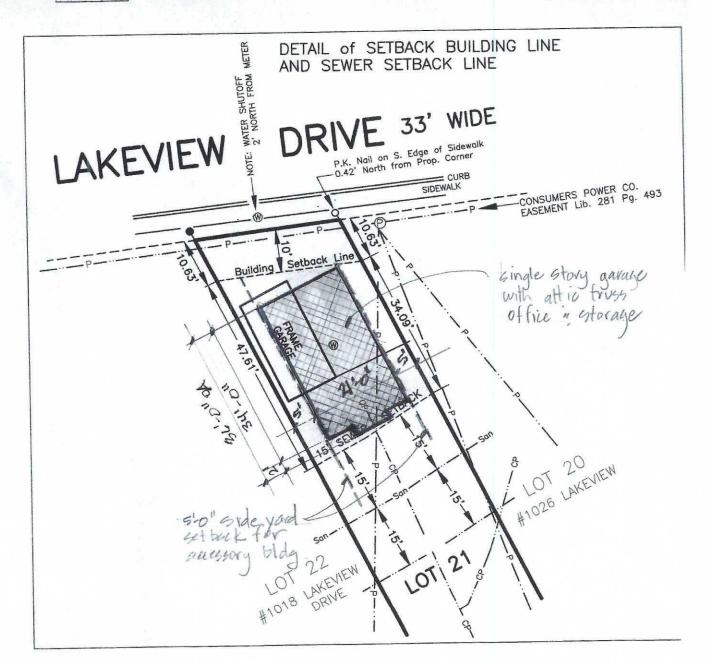
14594 nash highway lake odessa, michigan 48849 easter-beswick architects, plo 616.889.058] meryabesaldicem

date: prelims 05/05/25 revisions 05/09/25

25015

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A PASS ELOCE SEA WALL

LEGAL DESCRIPTION VILLAGE OF LAKE CURRENT TAX 1.D.

WE CERTIFY TO THE ABO DESCRIBED ABOVE, AND PROPERTY, IF ANY, ARE L



hecd. 7/22/25 \$150° Cash KSF

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

Phone:	(616)	374-71	10
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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		
Personal TRajuzno Center		
		Apparent to the second second
		Marian Indonesia (Constant
Property Information		
Address 1501 TUPPER LAKE ST		
Parcel Number 34-101- 100 - 000 - 010 - 20		
Legal Description (may attach copy)		
Applicant Information		2 Ag. 1
Name BARRY Hoven		A-1-1-77
Address ISOI TUPPER LAKE ST		
City LAKE ODESSA State MF Zip 48849	*	
Phone Numbers (616) 7299666 (773) 754 7351 ()	good and the second second second	
Property Owner Information (if different from applicant)		
Name BARRY HOVEN		
Address 1501 TUPPER SAKE STREET		Miles and the second second
City LAKE ODESSA State MT Zip 48849		

Home Occupation Business Application (page 2)

Present Zoning District
Present Use of the Property
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.
Employees
Number of people working at the home occupation business living at the home
Hours of Operation
Describe hours you are open for business 8AM - 7p Mon - Fri SAT 9A-1p
Waste Materials
Describe type of waste materials and disposal methods CUPS, General waste paper
Impacts on Area
Describe any anticipated levels of noise, odor, glare, dust, fumes and method of lessoning impact
Light music, weight sounds
Traffic Levels
Describe anticipated customer traffic volumes per day
One car per hour for 8 hours Other Information
Describe any other additional information that is pertinent to your business proposal

Home Occupation Business Application (page 3)

<u>Affidavit</u>

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	> Mi	a offin	Date 16 JU	LY25
Property Owner Signature	Bu	magn	Date 16.	JULY 25
Zoning Administrator Use		* 1		
Received date				
Public Hearing date				
Application Approved				
Conditions of Approval	The professional space of Additional Environment of the Commission and the Commission of the Commissio			nervane commonwers for mount in a confine als
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Application Denied	Date		£	
Reason for Denial				
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	ALL STREET, ST			
Planning Commission Chairper	son Signatu	re	Date	



Dear Lake Odessa Planning Commission,

Good afternoon. I am writing to submit my application for approval to operate a personal training studio out of my home garage.

I have included a detailed floor plan of my house and garage, as well as a map of my parking pad, for your review.

I appreciate your time and consideration of my application and look forward to the review process.

Thank you very much.

Sincerely,

Barry Hoven-

1501 Tupper Lake Street

Lake Odessa, MI 48849

(616) 729-9666

bhoven@urbanwarrioredge.com

V

Bhoven@lakewood-fitness.com



773-754-7351

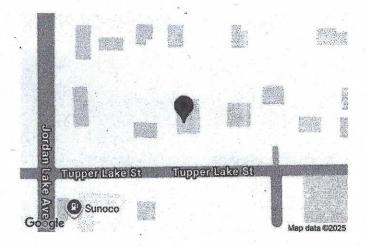


1501 Tupper Lake Street Lake Odessa, MI 48849-9588



CREATED ON 2025-07-11

LOCATION 1501 Tupper Lake Street 48849 Lake Odessa -Michigan US



Total area	Floors	Rooms	Bathrooms
4599.47 sq ft		16	2

Notes

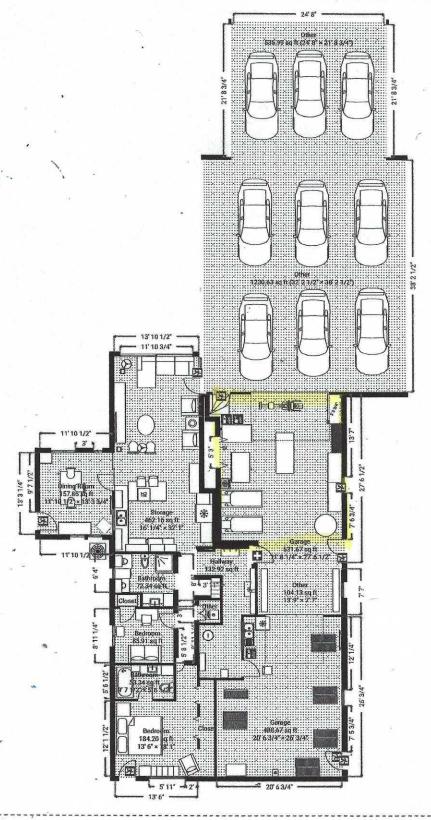
Plans for personal training studio with parking.

1501 Tupper Lake Street, 48849 Lake Odessa, Michigan, U\$ TOTAL AREA: 4599.47 sq ft • LIVING AREA: 3489.98 sq ft • FLOORS: 1 • ROOMS: 16



▼ 1st Floor

TOTAL AREA: 4599.47 sq ft · LIVING AREA: 3489.98 sq ft · ROOMS: 16



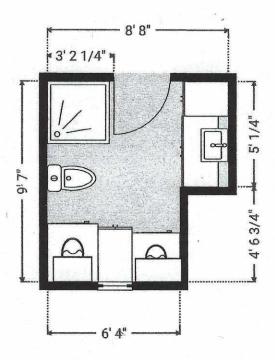
1501 Tupper Lake Street, 48849 Lake Odessa, Michigan, US TOTAL AREA: 4599.47 sq ft • LIVING AREA: 3489.98 sq ft • FLOORS: 1 • ROOMS: 16



▼ Bathroom 1st Floor

WIDTH: 8' 8" • LENGTH: 9' 7" • CEILING HEIGHT: 8' 3 1/4" AREA: 72.34 sq ft • PERIMETER: 36' 5 3/4"



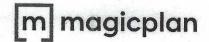


▼ Bathroom/1st Floor

Photo

1 Photo (see photos page)

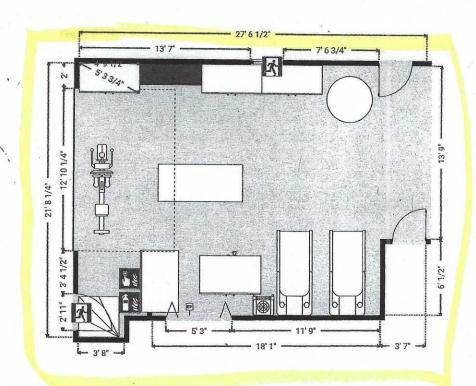
1501 Tupper Lake Street, 48849 Lake Odessa, Michigan, US TOTAL AREA: 4599.47 sq ft · LIVING AREA: 3489.98 sq ft · FLOORS: 1 · ROOMS: 16



▼ Garage 1st Floor

WIDTH: 27' 6 1/2" • LENGTH: 21' 8 1/4" • GEILING HEIGHT: 15' 5 1/2"
AREA: 531.67 sq ft • PERIMETER: 98' 10 1/4"





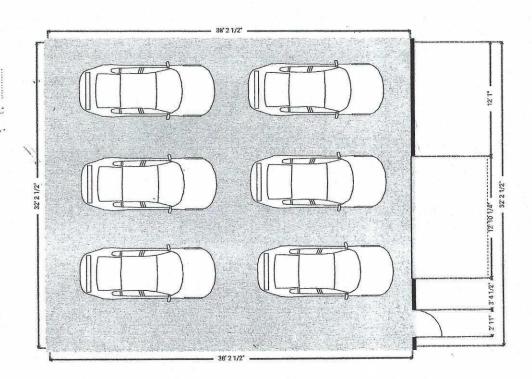
▼ Garage/1st Floor

Photo 1 Photo (see photos page)

1501 Tupper Lake Street, 48849 Lake Odessa, Michigan, US TOTAL AREA: 4599.47 sq ft • LIVING AREA: 3489.98 sq ft • FLOORS: 1 • ROOMS: 16

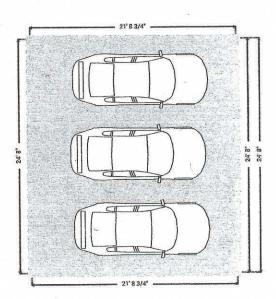


▼ Other 1st Floor WIDTH: 38' 2 1/2" • LENGTH: 32' 2 1/2" • CEILING HEIGHT: 15' 5 1/2"
AREA: 1230.63 sq ft • PERIMETER: 140' 10"



▼ Other 1st Floor WIDTH: 21' 8 3/4" • LENGTH: 24' 8" • CEILING HEIGHT: 15' 5 1/2" AREA: 535.99 sq ft • PERIMETER: 92' 9 1/2"





MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Barry Hoven, 1501 Tupper Lake St - Home Occupation Application

7-22-25

This application is from the above applicant and address. The owner started a home business but did not know he needed a permit for it, so he has now applied. He is a personal fitness trainer and works with people one-on-one in his attached garage space. None of the Type 1 home occupations list this business type but in Type 2, there is: "Gymnastics, dance instruction, martial arts instruction and similar activities". I felt that this business met this use description. Type 2 home occupations are a special use with Planning Commission review and public hearing. Please see the application documents, site plan, aerial and this memo for your review.

The ordinance section and standards for review of a type 2 home occupation are reproduced as follows so you can read the standards. *My comments are in bold italics after each standard.*

- f. 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:
 - 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. *This standard should be met.*
 - 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. There should be very few effects because the business is inside the attached garage and it is estimated that there will be one car per hour during open business hours.
 - 3. Whether the home occupation will have appreciable adverse effects upon adjacent and nearby lands and the uses thereof. There should be very few effects because the business is inside the attached garage and it is estimated that there will be one car per hour.

- 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. *See that section below all the Type 2 sections.*
- 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.

The above are optional conditions if needed.

Section 14 b All Home Occupations

- b. *Minimum conditions for permitted home occupations.* The following minimum conditions shall apply to all permitted home occupations:
 - 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. The proposed use is in an attached garage.
 - 2. The use shall be carried out only by the residents of the premises and not more than one other person. *One resident will work at the business.*
 - 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. The residents live in the home and the business will be a secondary use of the property by one resident using the attached garage.
 - 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. *No sign info has been submitted. The previous non-*

- compliant sign has been removed. The front of the building is mostly glass so a sign may need to be placed on the door.
- 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. The use will be in part of the attached garage and persons may use the house bathroom if needed. I calculated that the business use is less than 30% of the home and garage.
- 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. *The applicant has not indicated if any products will be for sale.*
- 7. No storage or display shall be visible from outside the dwelling or an attached building. *None is proposed nor needed.*
- 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. *There should not be any hazardous 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. The applicant indicated there will be light music and the sounds of fitness equipment. It is unlikely neighbors will hear it unless it is turned up loud.
- 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. *There should not be noticeable additional traffic as one car per hour is expected.*
- 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. The program may have placed too many cars in the parking area (for 10' by 20' spaces) but there is plenty of space in their driveway for the owners and one business car per hour.
- Deliveries and shipments by commercial vehicles shall be on an occasional or incidental basis. The applicant has not indicated any type of expected deliveries.
- 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. The proposed hours are 8:00 am to 7:00 pm Monday through Friday and 9:00 am to 1:00 pm on Saturdays.