

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

AGENDA

**SPECIAL MEETING
MONDAY, OCTOBER 18, 2021 - 6:00 P.M.**

1. Call to Order / Roll Call
2. 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 five 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.
3. Minutes
 - a. None
4. Public Hearing
 - a. Special Use Permit Application – Michael Mouch, 1409 Jordan Lake Street, Lake Odessa, Michigan 48849
5. Action and Discussion items:
 - a) Discussion and Action: Special Use Permit Application – Michael Mouch, 1409 Jordan Lake Street, Lake Odessa, Michigan 48849
6. Board member comments
7. Adjournment



To comply with the Michigan Open Meetings Act (MCL 15.265):

**The Lake Odessa Planning Commission
Page Memorial Building
839 Fourth Avenue
Lake Odessa, Michigan 48849
Phone: 616-374-7110; Fax: 616-374-0040**

Website where meeting notices are posted:
www.lakeodessa.org/publicnotices.html

NOTICE OF PUBLIC HEARING

The Lake Odessa Planning Commission will hold a public hearing on Monday, September 27, 2021, at 6:30 p.m. at the Page Memorial Building, 839 Fourth Avenue, Lake Odessa, Michigan, to accept comments regarding the following:

1. Proposed text amendments to Chapter 36, Article II, Sec. 36-35 of the Village's Zoning Ordinance. These proposed amendments would add "Type 1 Home Occupations" to the "Permitted Uses;" would add various uses to the "Permitted Accessory Uses" list; and defines setbacks for residential and commercial buildings in the Lakeside Commercial District

The proposed ordinance amendment may be viewed at www.lakeodessa.org or may be viewed in person at the Page Memorial Building located at 839 Fourth Avenue, Lake Odessa during normal business hours. All interested persons may attend the public hearing and comment on the proposed ordinances. Written comments will be considered if mailed to: Planning Commission, 839 Fourth Avenue, Lake Odessa, MI 48849 and received by September 27, 2021 prior to the meeting. Written comments may also be emailed to: manager@lakeodessa.org and must be received by Monday, September 27, 2021 at 4:30 pm local time.

Meetings of the Lake Odessa Planning Commission are open to all without regard to race, sex, color, age, national origin, religion, height, weight, marital status, political affiliation, sexual orientation, gender identity or disability. Persons with disabilities needing accommodations for effective participation in the meeting should contact the village office at (616) 374-7110, at least 24 hours in advance of the meeting to request mobility, visual, hearing, or other assistance.

Patrick Reagan
Village Manager/ Clerk

I, Patrick Reagan, certify that the foregoing notice has been posted on September 8, 2021 at 5:15 pm as specified above in accordance with the Michigan Public Act (MCL 15.265) as amended.

Patrick Reagan
Village Manager/ Clerk
Village of Lake Odessa

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Lake Odessa, Michigan 48849**

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SPECIAL MEETING NOTICE

**Village of Lake Odessa
Planning Commission
Monday, October 18, 2021
6:00 pm**

The Planning Commission for the Village of Lake Odessa will hold a special meeting on Monday, October 18, 2021 at 6:00 pm. This meeting is being held to hear comments during a public hearing on a Special Use Permit application submitted by Michael Mouch, for his property at 1409 Jordan Lake Street, Lake Odessa, Michigan 48849. This application is to allow a restaurant/ BBQ trailer operation on this property. Discussion and action on this Special Use Permit application will take place at this meeting

It is the policy of the Village of Lake Odessa that all village-sponsored public meetings and events are accessible to people with disabilities. If you need assistance in participating in this meeting or event due to a disability as defined under the ADA, please call the village office at (616) 374-7110 or e-mail treasurer@lakeodessa.org at least three (3) business days prior to the scheduled meeting or event to request an accommodation.

This notice was posted by Patrick Reagan, Village Manager, to comply with Sections 4 and 5 of Michigan Open Meetings Act (MCL 15.265) at October 15, 2021 at 10:30 am, on the Page Building Village Notice Bulletin Board, located at 839 Fourth Avenue, Lake Odessa, Michigan and also posted on the Village's website – www.lakeodessa.org -- at least 18 hours prior to the start of the meeting.



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

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

BBQ Trailer to be set on ~~the~~ east side of existing building.

Property Information

Address *1409 Jordan LK Street*

Parcel Tax ID Number *85-0697497* Number of Acres or Square Feet *.65*

Legal Description (use attachments if needed)

Applicant Information

Name *Michael Mouch Conrad's Quick Lube & Car Wash LLC*

Address *1409 Jordan Lake Street*

City *Lake Odessa* State *Mi* Zip *48849*

Phone Numbers *(616) 2992534* () ()

Property Owner Information (if different from applicant)

Name _____

Address _____

City _____ State _____ Zip _____

Phone Numbers () () ()

Site Plan Review Application (page 2)

Present Zoning District

Present Use of the Property

oil change carwash

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 _____ Date _____
Signature Owner Michael Touch _____ Date 9-21-21

Office / Zoning Administrator Use

Fee paid \$150.00 _____ Date 9-21-21

Application Approved _____ Date _____

Conditions of Approval _____

Application Denied _____ Date _____

Reason for Denial _____

Zoning Administrator Signature _____ Date _____

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.

- (1) *Standards for the consideration of special uses.* 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;
 2. Traffic conditions, creating or adding to a hazardous situation;
 3. Transportation design requirements, if any, which will be needed to accommodate any traffic impact for the use intended; and
 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.
 - 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;
 - 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;
 - 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;
 - e. Any hazards arising from storage and use of dangerous toxic substances, combustible, inflammable, or caustic fluids or chemicals.
 - 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.
- (2) *Conditional approval.* 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.
- (3) *Compliance with performance standards.* Compliance with performance standards for certain uses enumerated in this chapter is required.
- (4) *Site plan approval required.* Site plan approval by the planning commission is required for all special use permits. Site plans are initially reviewed by the zoning administrator.

- (5) *Time constraints.* 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.
- (6) *Existing violations.* 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.
- (7) *Decisions in writing.* 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) *Appeals.* 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.

(Ord. No. 119, § 4.6, 8-1993)

State Law reference— Special land uses, MCL 125.584a.