

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

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

10-19-23

This started out last year when I had received a tip that the owner of the above address was doing auto repair type of work in his detached new garage back when Patrick was manager. I had emailed him what we should do about it but never heard back and then there was the transition time between the temporary and new managers. I did a drive by back then 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.

Eventually I got an application for a home occupation to the owner. 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 Type 1 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 persons working at the business 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 **any 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.

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** which is somewhat vague but seems to mean *any type* of business in a detached building may be allowed because it is in a detached garage. I suggest this part be amended for clarification in the future.

Please see application, maps, related documents and checklists attached to this memo.



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 pick up
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

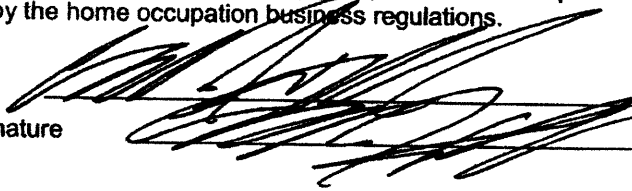
Describe any other additional information that is pertinent to your business proposal This is not a full time shop nor do I intend it to be

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.

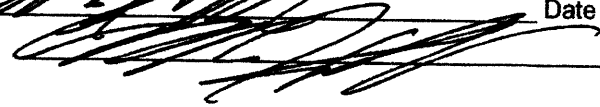
Applicant Signature



Date

4-29-23

Property Owner Signature



Date

4-29-23

Zoning Administrator Use

Received date

7-31-23

Public Hearing date

10-23-23

Application Approved

Date

Conditions of Approval

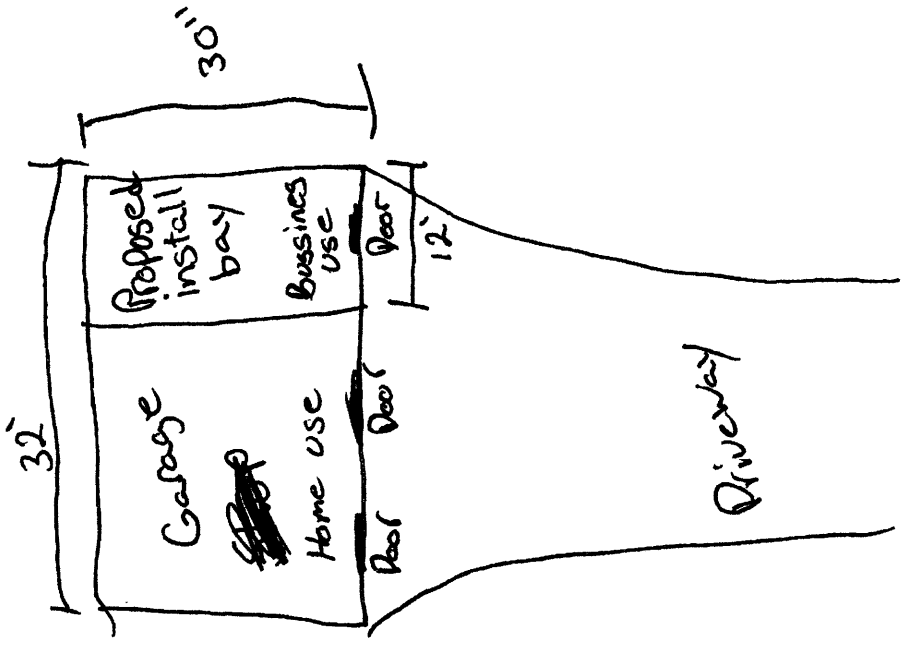
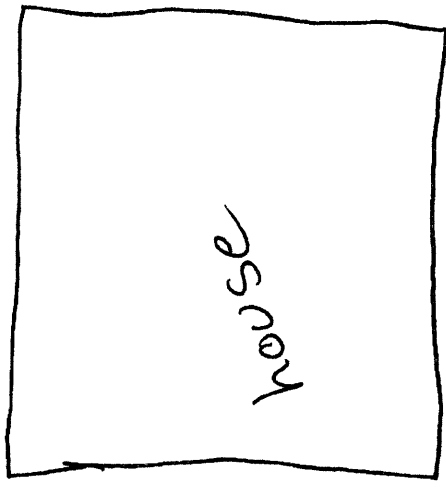
Application Denied

Date

Reason for Denial

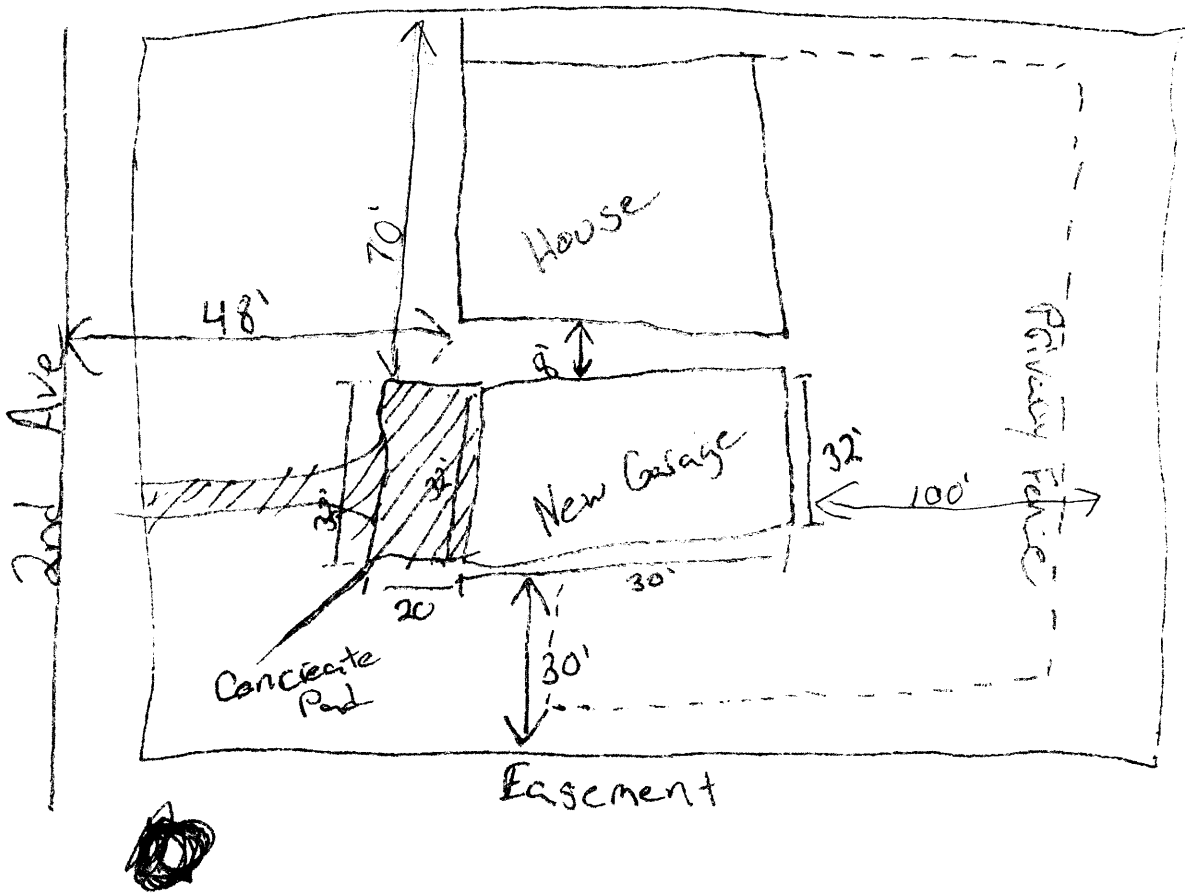
Planning Commission Chairperson Signature

Date



Site Plan

Use the space below to draw a site plan showing the proposed location of the new construction or additions to any existing structures. Include the location of existing structures and dwellings. Indicate the distances of the proposed construction to your lot lines, road right of way or road centerline, easements, and shorelines. For new accessory structures also include the distance to the dwelling.



From zoning permit for garage

Newly Condos

101-200-001-060-10

101-200-001-060-10

101-200-001-060-10

101-200-001-085-00

101-200-001-065-00

101-200-001-110-00

101-200-001-080-00

101-200-001-075-00

101-200-001-070-00

FOURTH ST

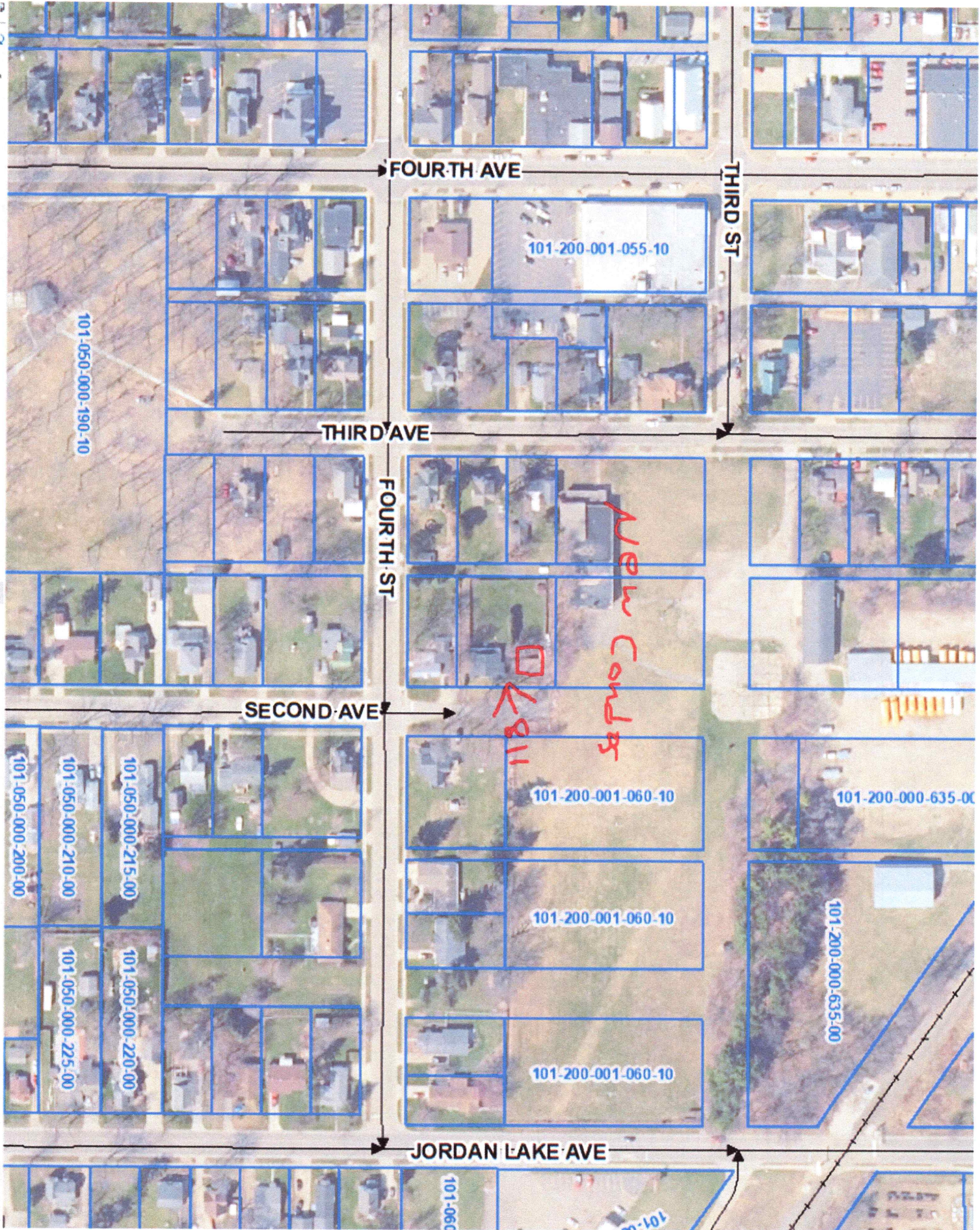
SECOND AVE

1313g
811

101-200-001-205-00

101-200-001-175-00

101-200-001-170-00



FOURTH AVE

THIRD ST

101-200-001-055-10

101-050-000-190-10

THIRD AVE

FOURTH ST

New Condo

1811

SECOND AVE

101-200-001-060-10

101-200-000-635-00

101-050-000-200-00
101-050-000-210-00
101-050-000-215-00

101-200-001-060-10

101-200-000-635-00

101-050-000-220-00
101-050-000-225-00

101-200-001-060-10

JORDAN LAKE AVE

101-060

101-060



LARA Corporations Online Filing System

Department of Licensing and Regulatory Affairs

ID Number: 802892723

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Summary for: ACROSS THE TRACKS OUTFITTERS LLC

The name of the DOMESTIC LIMITED LIABILITY COMPANY: ACROSS THE TRACKS OUTFITTERS LLC

Entity type: DOMESTIC LIMITED LIABILITY COMPANY

Identification Number: 802892723

Date of Organization in Michigan: 07/28/2022

Purpose: All Purpose Clause

Term: Perpetual

The name and address of the Resident Agent:

Resident Agent Name: CHRISTOPHER DAVID HALL

Street Address: 811 2ND AVE

Apt/Suite/Other:

City: LAKE ODESSA State: MI Zip Code: 48849

Registered Office Mailing address:

P.O. Box or Street Address: 811 2ND AVE

Apt/Suite/Other:

City: LAKE ODESSA State: MI Zip Code: 48849

Act Formed Under: 023-1993 Michigan Limited Liability Company Act

Acts Subject To: 023-1993 Michigan Limited Liability Company Act

Managed By:

Members

View filings for this business entity:

ALL FILINGS
ANNUAL REPORT/ANNUAL STATEMENTS
CERTIFICATE OF CORRECTION
CERTIFICATE OF CHANGE OF REGISTERED OFFICE AND/OR RESIDENT AGENT
RESIGNATION OF RESIDENT AGENT
CERTIFICATE OF ASSUMED NAME

[View filings](#)

Comments or notes associated with this business entity:

PLANNING COMMISSION CHECKLIST

Application for Home Occupations

Sec. 36-95. - Design standards for certain uses - (14) *Home occupations.*

Christopher Hall 811 Second Ave	Condition Met?	Comments
<p><i>Home occupations.</i> 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.</p>		
<p>a. <i>Type 1 permitted home occupations.</i> 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:</p>		
<ol style="list-style-type: none"> 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. 		

	Condition Met?	Comments
<p>20. Taxidermy.</p> <p>21. Television and other small appliance repair.</p> <p>22. Telephone answering service and telephone solicitation work.</p> <p>23. Travel booking service.</p> <p>24. Watch repair.</p> <p>25. Dog grooming.</p> <p>26. Food catering and cottage food operation.</p> <p>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. (there are additional standards, see ordinance)</p>		
<p>b. <i>Minimum conditions for permitted home occupations.</i> The following minimum conditions shall apply to all permitted home occupations:</p>		
<p>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.</p>	Y	business is in a detached accessory garage
<p>2. The use shall be carried out only by the residents of the premises and not more than one other person.</p>	Y	
<p>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.</p>	Y	
<p>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.</p>	Y	
<p>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</p>	Y	

	Condition Met?	Comments
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.	Y	service includes purchase and sale of the automotive accessories and then installed on the vehicles see application
7. No storage or display shall be visible from outside the dwelling or an attached building.	Y	
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.	Y	
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.	Y	some air compressor use - not after 9pm is in back corner of insulated bldg
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.	Y	appt only
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.	Y	large concrete parking area

	Condition Met?	Comments
12. Deliveries and shipments by commercial vehicles shall be on an occasional or incidental basis.	Y	
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.	Y	Appt only
<p>c. <i>Unlisted, but similar home occupations.</i> 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:</p> <ol style="list-style-type: none"> 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. 		
<p>d. <i>Type 2 home occupations approved as special uses.</i> 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. <u>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.</u></p> <ol style="list-style-type: none"> 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. 		<p>R-1 conducted in part of a detached garage</p>

	Condition Met?	Comments
<p>e. <i>Type 2 home occupations - Standards.</i> 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:</p>		
<p>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.</p>	Y	
<p>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.</p>	Y	
<p>3. Whether the home occupation will have appreciable adverse effects upon adjacent and nearby lands and the uses thereof.</p>	Y	
<p>4. All of the standards of section 36-95(14)b., notwithstanding those limits on the <u>use of detached accessory buildings</u>, floor area, and number of non-resident employees.</p>	Y	in part of detached bldg
<p>5. Whether the home occupation is contrary to local, state and/or federal law.</p>	Y	
<p>f. <i>Type 2 home occupations - Conditions of approval.</i> 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:</p>		
<p>1. The use as located within a dwelling and/or <u>accessory building</u>.</p>	Y	
<p>2. The floor area of the use.</p>	Y	
<p>3. The area, height, bulk, sound prevention and location of any accessory building used for the occupation.</p>	Y	
<p>4. The storage or display of goods, inventory or equipment that may be visible from outside the</p>	Y	

	Condition Met?	Comments
dwelling or accessory building and the screening thereof.	↑	
5. The storage or use of combustible toxic or hazardous materials on the premises.	Y	
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.	Y	Is the compressor in a more sound restricted area? - yes -
7. Motor vehicle and/or pedestrian traffic and its circulation on and off site.	Y	
8. Off-street parking provided, and the location and surfacing and drainage thereof.	Y	parking area in front of bldg
Conclusion Comments		

PLANNING COMMISSION CHECKLIST

Application from Christopher Hall at 811 Second Ave for Home Occupation Application for a Type 2 SUP

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

Christopher Hall 811 Second Ave	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	Home occupation
(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	existing garage
(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	home occupation in a detached bldg
(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;	NA	existing
(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;	NA	
(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);	NA	
(8) All buildings and structures are accessible to emergency vehicles	Y	

	Condition Met?	Comments
(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	
(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 if reasonable.
(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	Y	see aerial

	Condition Met?	Comments
of the nearest public roads on all sides; and all such schools, firehouses, houses of worship, recreational areas, etc.	Y	see aerial
(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;	NA	
b. Existing fire, school and other special district boundaries within 500 feet of the tract, if any;	NA	
c. Boundaries of property and existing lot lines as shown on the existing plat or tax map;	Y	aerial
d. Existing public streets, easements, or other reservations of lands;	Y	aerial
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 aerial map.
f. The proposed location and use of any building or structure;	Y	existing garage
g. The proposed location of any use not requiring a structure, including walkways, benches, fences, and recreational facilities;	NA	
h. Location and design of all driveways, parking and loading areas, if any;	NA	existing
i. Location of all existing and proposed water lines, valves, and hydrants, and all sewer lines, if any;	NA	existing
j. Proposed fencing, screening and landscaping; and	Y	none proposed some existing fences
k. Location of existing watercourses, wooded areas, and rock outcrops, if any.	NA	
(3) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.	NA	
(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.	NA	
(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	

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.

Christopher Hall 811 Second Ave	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;	Y	
3. Transportation design requirements, if any, which will be needed to accommodate any traffic impact for the use intended	NA	
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	
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	
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;	NA	Existing residential garage
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	Has residential character - inside use
e. Any hazards arising from storage and use of dangerous toxic substances, combustible, inflammable, or caustic fluids or chemicals.	Y	
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	some air compressor use - in back corner of insulated bldg & not after 9 pm

	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.	*	
(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.	*	
(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.	*	
(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.		

It appears the applicant can meet the standards for a home occupation in a detached garage of installing after market vehicle accessories.