



Pamela Colestock – Mayor  
William Steele – Mayor Pro Tem  
Suzanne Politza – Councilwoman  
Stacey Robison – Council-at-Large  
Ken Nicholas – Councilman

200 S. Main Street  
Eaton Rapids, MI 48827  
(517) 663-8118  
Fax (517) 663-1116  
[www.cityofeatonrapids.com](http://www.cityofeatonrapids.com)

Yvonne Ridge – City Manager/Treasurer  
Laura Boomer – City Clerk  
Larry Joe Weeks – Police Chief  
Roger McNutt – Fire Chief  
LeRoy Hummel – Building Official  
Rob Pierce – Public Works/Utilities Director  
Randy Jewell – City Assessor  
Corey Cagle – Director of Parks,  
Recreation & Events

## **CITY COUNCIL MEETING AGENDA**

May 8, 2023  
7:00 p.m.  
City Hall

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This meeting will be streamed live for viewing only at:

<https://us06web.zoom.us/j/81891922214>

Meeting ID: 818 9192 2214

*Please note all public comments must be made in person.*

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- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. PLEDGE OF ALLEGIANCE.**
- 4. INVOCATION.**
- 5. APPROVAL OF THE AGENDA.**
- 6. APPROVAL OF THE MINUTES OF APRIL 24, 2023 COUNCIL WORK SESSION MEETING.**
- 7. APPROVAL OF THE MINUTES OF APRIL 24, 2023 COUNCIL MEETING.**
- 8. APPROVAL OF CHECK DISBURSEMENTS TOTALING \$319,989.48.**
- 9. CITIZEN COMMENTS AND QUESTIONS.**
- 10. UNFINISHED AND SPECIAL BUSINESS.**
- 11. ITEMS OF BUSINESS.**
  - a. Approval of Land Division Application. Approve the Land Division Application for Mike Simpson Drive submitted by the City of Eaton Rapids.
  - b. Approval of Home Based Business Application. Approve the Home Based Business (Group Day Care) Application for 206 Albers Street submitted by Russell Frinkle.
  - c. Approval of Site Plan Application Extension. Approve the two (2) year Site Condominium Plan Application Extension for 414 Haven Street submitted by T.A. Forsberg.
- 12. CITIZEN COMMENTS AND QUESTIONS**
- 13. REPORTS.**
  - a. Fire Chief, Police Chief, City Manager
  - b. Council Members.

c. Mayor

## 14. ADJOURNMENT.

### **ADDRESSING THE CITY COUNCIL**

This item on the agenda is for the public to present comments or questions to City Council regarding any topic. Anyone wishing to speak should raise their hand and when recognized by the Mayor, should stand, come to the microphone, give their name, and address and proceed with their comments or questions. In the interest of time, citizens may be limited **to five minutes** to present their comments or ask questions.

### **NEXT MEETING**

Monday, May 22, 2023

### **Boards and Commissions Openings:**

Zoning Board of Appeals

Local Officers Compensation Commission

**April 24, 2023**  
**City Council Worksession**

A Worksession of the Eaton Rapids City Council was held at City Hall, 200 S. Main Street, on April 24, 2023, at 5:00 p.m.

Present were Mayor Colestock and Councilpersons Steele, Nicholas, Robison, and Politza.

Administrative Staff Present were City Manager Ridge, Clerk Boomer, Fire Chief McNutt, DPW Director Pierce, Police Chief Weeks, and Director of Parks, Recreation and Events.

Purpose of the meeting was a worksession. Notice of the meeting was duly given.

Mayor Colestock called the meeting to order at 5:00 p.m.

**Public Comments:** None

**Unfinished and Special Business:** None

**New Business:**

1. Michael McGeehan of GRP Engineering, Inc, presented and reviewed the Electric Reliability Study.
2. City Manager Ridge introduced a discussion on water and sewer rates. Warren Creamer, Managing Director of MFCI, LCC attended via Zoom and presented projections and reviewed the CWSRF Grant. He recommended smoothing rate increases over three years with inflationary increases thereafter.
3. City Manager Ridge provided Council an update on the Treasurer/Finance Position. No applications have been received. She is proposing hiring an Interim Finance Director through an auditing firm at 100 hours per month for a six (6) month contract. Robison suggested offering a higher salary to attract a permanent full-time treasurer. Steele wants to proceed with the contract with experienced staff, not hiring someone less experienced. Politza thinks the contract will help clean things up prior to hiring a permanent full-time treasurer.
4. City Manager Ridge provided Council with an update on the budget. The Budget Committee has met twice. The committee will meet one more time. She is planning a Special Budget Meeting on May 9<sup>th</sup> at 5:00 p.m.

**Public Comments:** None

Steele moved, Robison seconded, PASSED, to adjourn.  
The meeting adjourned at 6:41 p.m.

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Pamela Colestock, Mayor

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Laura Boomer, City Clerk

**April 24, 2023,  
City Council Meeting**

A regular meeting of the Eaton Rapids City Council was held at City Hall, 200 S. Main Street, on April 24, 2023, at 7:00 p.m.

Mayor Colestock called the meeting to order at 7:00 p.m.

Present were Mayor Colestock and Councilpersons Steele, Nicholas, Robison, and Politza.

The Pledge of Allegiance was recited.

The invocation was given by Pastor Jim Riley of Eaton Rapids Assembly of God.

Steele moved, Politza seconded, PASSED, to approve the agenda with the addition of item 11. i. Interim Finance Director Contract under Items of Business.

Steele moved, Politza seconded, PASSED, to approve the April 10, 2023 Worksession Minutes .

Steele moved, Politza seconded, PASSED, to approve the April 10, 2023 Council Meeting Minutes.

Steele moved, Politza seconded, PASSED, to approve the disbursements totaling \$817,576.09.

**Public Comments:**

Russ Hicks, 7900 Columbia, distributed information on dams. He commented on dams in the area.

**Unfinished/Special Business:**

- a. Mayor Colestock opened the Closeout Public Hearing for Michigan Community Block Grant Funding for Eaton Rapids Island City Parks Improvement at 7:09 p.m. Ridge reviewed the scope of the project. There were no public comments. Councilwoman Robison commented that it was a successful project with needed repairs to the Island. Councilman Steele commented that it was his goal when running for Council to replace the East Pedestrian Bridge and that has been accomplished. Good to see people out enjoying the park and riverwalk. Councilwoman Politza commented that it is a beautiful project and it turned out great. Mayor Colestock commented that the engineering firm won an award for the project. Public Hearing closed at 7:15 p.m.

**Items of Business:**

- a. Steele moved, Robison seconded, PASSED, to approve the Special Event Application for Art in the Park Event submitted by the City of Eaton Rapids Arts Council.
- b. Steele moved, Robison seconded, PASSED, to approve the Special Event Application for Open Mic Event submitted by the City of Eaton Rapids Arts Council.
- c. Steele moved, Robison seconded, PASSED, to approve the CDAM AmeriCorps State Program Host Site Agreement for a one (1) year full-time internship.
- d. Steele moved, Nicholas seconded, PASSED, to adopt the Policy and Procedure for the Public Inspection and Copying of Public Records in lieu of Customary Business Hours.
- e. Steele moved, Nicholas seconded, to adopt Resolution 2023-06 to Update Signatories at Eaton Community Bank.

PASSED by roll call vote:

Yeas: Nicholas, Colestock, Steele, Politza, Robison

Nays: 0

Absent: 0

- f. Steele moved, Nicholas seconded, to adopt Resolution 2023-07 To Authorize City Manager to File a Claim for the Protecting MI Pension Grant Program. PASSED by roll call vote:  
Yeas: Colestock, Steele, Politza, Robison, Nicholas  
Nays: 0  
Absent: 0
- g. Steele moved, Nicholas seconded, to adopt Resolution 2023-08 to Authorize City Manager To Purchase, Acquire, and Construct Capital Improvements and to Publish Notice of Intent to Issue Municipal Securities. PASSED by roll call vote:  
Yeas: Steele, Politza, Robison, Nicholas, Colestock  
Nays: 0  
Absent: 0
- h. Steele moved, Nicholas seconded, to adopt Ordinance 2023-05 to Repeal Section 2-27 of Division 1 of Article III of Chapter 2, City Council to Adopt Rules, and to Amend Section 2-49 of Division 3 of Article III, Purchasing Policy, of the codified Ordinances of the City of Eaton Rapids. PASSED by roll call vote:  
Yeas: Robison, Nicholas, Colestock, Steele, Politza  
Nays: 0  
Absent: 0
- i. Steele moved, Nicholas seconded, PASSED, to approve the Interim Finance Director Contract with Raymond.  
PASSED by roll call vote:  
Yeas: Politza, Steele, Colestock, Nicholas, Robison  
Nays: 0  
Absent: 0

**Public Comments:**

Dale Erion, 1015 Hall St., commented on flag disposal event on May 20<sup>th</sup> (weather permitting) at Rose Hill Cemetery.

**Reports:**

- a. Staff-  
Fire Chief McNutt thanked Dale Erion for the cemetery map marking firefighter graves. He also thanked Dean Butler for his donation of two backpack blowers to the Fire Department. City Manager Ridge reported that HUD selected the Island Project for a site visit. They are coming Wednesday at 11:00 a.m. The engineering firm for the project won a historic civil engineering award for the project. She has applied for an MSHDA grant for housing rehabilitation. The City did not receive the Slotkin grant. She is working on a DWSRF grant with MI Water Navigator. She will be out of the office for the next week.
- b. Council-  
Councilwoman Politza commented on the flag at the Public Safety Building.  
Councilwoman Robison reported that the Chamber of Commerce dinner is May 18 and tickets are available.

Councilman Steele thanked Russ Hicks for the dam information. He thanked Dale Erion for the cemetery maps. He recognized Clerk Boomer for her efforts keeping Council organized.

c. Mayor-

Mayor Colestock reported that the Memorial Day Parade is May 29<sup>th</sup> at 11:00 a.m. Anyone interested in participating can reach out to her. Veteran cemetery flags will be placed May 27<sup>th</sup> at 9:00 a.m. at Rose Hill Cemetery. Volunteers are welcome.

Steele moved, Robison seconded, PASSED, to adjourn.

The meeting adjourned at 7:43 p.m.

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Pamela Colestock, Mayor

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Laura Boomer, City Clerk



CITY OF EATON RAPIDS

PAYABLES REPORT FOR MAY 8, 2023

ACCOUNTS PAYABLE CHECKS – CHECKS 157148 – 157190 = \$32,946.55

PAYROLL – PAYDATE APRIL 28, 2023 - \$93,146.40

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MAY 1, 2023 – ACH - MPPA - \$106,470.65

MAY 8, 2023 – ACH – MPPA - \$87,425.88

TOTAL CHECKS - \$126,092.95

TOTAL ACH - \$193,896.53

**TOTAL DISBURSEMENTS THIS PERIOD - \$319,989.48**

CHECK DISBURSEMENT REPORT FOR EATON RAPIDS  
 CHECK NUMBER 157148 - 157190

Check Date	Bank	Check #	Payee	Description	GL #	Amount
05/08/2023	GEN	157148	ACE HARDWARE & LUMBER CO.	HARDWARE	101.276.93100	98.21
		157148		HARDWARE	101.301.72800	19.39
		157148		HARDWARE	101.336.74400	67.54
		157148		HARDWARE	101.441.93200	232.17
		157148		HARDWARE	208.691.74405	7.18
		157148		HARDWARE	598.528.72800	16.86
		157148		HARDWARE	598.528.93400	12.08
		157148		HARDWARE	598.538.93200	27.99
		157148		HARDWARE	598.538.93210	59.03
		157148		HARDWARE	598.556.74400	36.15
		157148		HARDWARE	598.556.93100	109.72
						<hr/>
05/08/2023	GEN	157149	AMAZON	GREEN FOLDERS - GAR ISLAND HUD TOUR	101.101.95900	28.95
05/08/2023	GEN	157150	AMAZON	HDMI TO VGA ADAPTER	101.101.95900	7.98
05/08/2023	GEN	157151	AMERICAN RENTALS	PARK PORTABLE TOILETS	208.691.94202	928.00
05/08/2023	GEN	157152	BARYAMES CLEANERS, INC.	DRYCLEANING DUE 4-28-23	101.301.74200	16.40
05/08/2023	GEN	157153	C2AE	PROFESSIONAL SERVICES	598.556.81700	2,129.44
05/08/2023	GEN	157154	CALEDONIA FARMERS ELEVATOR	HC CORNERSTONE PLUS 2.5 GALLON, HC 24	598.528.93100	159.55
05/08/2023	GEN	157155	CALEDONIA FARMERS ELEVATOR	HC CORNERSTONE PLUS 2.5 GALLON, HC 24	101.276.93100	197.42
05/08/2023	GEN	157156	CIVICPLUS	MUNICODE ADMIN SUPPORT FEE	101.101.90100	275.00
05/08/2023	GEN	157157	CMP DISTRIBUTORS, INC.	VEST CARRIER SOUTHWARD INV# 75558	101.301.74200	235.00
05/08/2023	GEN	157158	COMMUNITY ECONOMIC DEVELOPMENT A	AMERICORPS HOST SITE FEE	208.691.81800	12,000.00
05/08/2023	GEN	157159	CONSUMERS ENERGY	PSB GAS BILL INV# 207058516748	101.301.92100	389.98
		157159		PSB GAS BILL INV# 207058516748	101.336.92100	389.97
						<hr/>
05/08/2023	GEN	157160	CONSUMERS ENERGY	ELECTRIC BILL 5421 S. CLINTON TRL. (AP	598.538.92100	31.71
05/08/2023	GEN	157161	CONSUMERS ENERGY	ELECTRIC BILL 2650 S. MICHIGAN RD. (AP	598.538.92100	31.71
05/08/2023	GEN	157162	CORE TECHNOLOGY CORPORATION	TIMS MAINT INV# CORXT10000156	101.301.73500	300.00
05/08/2023	GEN	157163	DAVID LYNCH	MECHANICAL INSPECTIONS	249.371.81700	315.00



CHECK DISBURSEMENT REPORT FOR EATON RAPIDS  
CHECK NUMBER 157148 - 157190

Check Date	Bank	Check #	Payee	Description	GL #	Amount
05/08/2023	GEN	157164	DEWPOINT	MICROSOFT MONTHLY- MARCH 2023	101.299.81700	7.22
05/08/2023	GEN	157165	ELHORN ENGINEERING COMPANY	7661-30 LIQUFIED AQUADENE 30 GAL	598.556.74600	1,260.00
05/08/2023	GEN	157166	ENCOMPASS EAP, LLC	EAP SERVICES INV# ENC2416-IN	101.301.71600	1,500.00
05/08/2023	GEN	157167	ETNA SUPPLY COMPANY	PJA4-13-NL-3/4" PJ-CTS ASSY	598.556.75000	342.00
05/08/2023	GEN	157168	FORESIGHT GROUP, INC	NAMEPLATE AND SHIPPING	598.538.73000	63.00
05/08/2023	GEN	157169	GRAINGER	Y STRAINER FOR PH	598.538.93210	22.88
05/08/2023	GEN	157170	GREATAMERICA FINANCIAL SVCS.	MAILING SYSTEM LEASE- 05.2023	101.299.93300	57.91
		157170		MAILING SYSTEM LEASE- 05.2023	598.538.93300	48.64
		157170		MAILING SYSTEM LEASE- 05.2023	598.556.93300	9.26
						<hr/> 115.81
05/08/2023	GEN	157171	GREATAMERICA FINANCIAL SVCS.	COPIER LEASE & DELIVERY INV# 33954455	101.301.73100	298.92
05/08/2023	GEN	157172	HUTSON INC.	READY MOWERS FOR 23 SEASON	101.276.93200	122.28
05/08/2023	GEN	157173	HUTSON INC.	READY MOWERS FOR 23 SEASON	101.276.93200	248.49
05/08/2023	GEN	157174	INTERNATIONAL MINUTE PRESS	NEWSLETTERS, UTILITY BILLS, ENVELOPES	208.691.73000	596.24
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.528.72800	221.27
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.528.73000	108.21
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.538.72800	1,106.45
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.538.73000	541.01
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.556.72800	252.90
		157174		NEWSLETTERS, UTILITY BILLS, ENVELOPES	598.556.73000	123.64
						<hr/> 2,949.72
05/08/2023	GEN	157175	KENDALL ELECTRIC, INC.	RAIL MOUNT TIMING RELAY	598.538.93210	72.17
05/08/2023	GEN	157176	MICHIGAN ASSOC OF MAYORS	2023 ASSOC OF MAYORS MEMBERSHIP	101.101.95700	95.00
05/08/2023	GEN	157177	MIRECS	MIRECS INVOICE 6332	598.538.92300	116.94
05/08/2023	GEN	157178	NAPA AUTO PARTS	AUTO PARTS	101.301.93400	21.96
		157178		AUTO PARTS	101.336.74400	9.16
		157178		AUTO PARTS	101.441.93400	65.25
		157178		AUTO PARTS	598.528.74400	39.50

CHECK DISBURSEMENT REPORT FOR EATON RAPIDS  
CHECK NUMBER 157148 - 157190

Check Date	Bank	Check #	Payee	Description	GL #	Amount
		157178		AUTO PARTS	598.538.93200	45.62
						181.49
05/08/2023	GEN	157179	OUTDOOR EQUIPMENT COMPANY	QUART OF FUEL	101.336.74100	43.20
05/08/2023	GEN	157180	PACE ANALYTICAL SERVICES, LLC	QUARTERLY LOW LEVEL MERCURY TESTING	598.528.74901	417.00
05/08/2023	GEN	157181	PLIC - SBD GRAND ISLAND	LIFE INSURANCE	101.172.71700	62.80
		157181		LIFE INSURANCE	101.215.71700	31.40
		157181		LIFE INSURANCE	101.253.71700	15.72
		157181		LIFE INSURANCE	101.301.71700	147.66
		157181		LIFE INSURANCE	101.441.71700	39.30
		157181		LIFE INSURANCE	208.691.71700	31.40
		157181		LIFE INSURANCE	249.371.71700	31.40
		157181		LIFE INSURANCE	598.528.71700	47.16
		157181		LIFE INSURANCE	598.538.71700	44.40
						451.24
05/08/2023	GEN	157182	POWER LINE SUPPLY COMPANY	CLOTHING JAMES 2023	598.528.74200	350.00
05/08/2023	GEN	157183	POWER LINE SUPPLY COMPANY	CLOTHING COREY ADLEMAN 2023	598.528.74200	431.99
05/08/2023	GEN	157184	POWER LINE SUPPLY COMPANY	CLOTHING JEREMY 2023	598.528.74200	412.67
05/08/2023	GEN	157185	RANDY JEWELL	ASSESSING SERVICES - APRIL 2023	101.257.81700	2,616.00
05/08/2023	GEN	157186	ROSE PEST SOLUTIONS	PEST CONTROL- APRIL	101.265.77600	73.00
05/08/2023	GEN	157187	THE HARKNESS LAW FIRM, PLLC	APRIL 2023 LEGAL SERVICES	101.301.80200	2,083.33
05/08/2023	GEN	157188	THE RIGHT TOUCH JANITORIAL	JANITORIAL SERVICES- 04.21.23, 04.28.	101.265.77600	360.00
05/08/2023	GEN	157189	USA BLUE BOOK	ROTARY DRUM PUMP WWTP	598.528.74900	134.95
05/08/2023	GEN	157190	VISUAL EDGE IT	COPY MACHINE METER READ INV# 24AR7744	101.301.73100	27.41
		157190		COPY MACHINE METER READ INV# 24AR7744	101.336.73000	27.41
						54.82
			TOTAL - ALL FUNDS	TOTAL OF 43 CHECKS		32,946.55

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
04/28/2023	GEN	301390	CRAVEN, TROY L.	2,832.87	330.72	1,590.00	Processing
04/28/2023	GEN	DD85852	ADLEMAN, COREY M	1,918.40	0.00	1,350.55	Processing
04/28/2023	GEN	DD85853	BAILEY, SEAN	2,300.80	0.00	1,670.67	Processing
04/28/2023	GEN	DD85854	BOOMER, LAURA S	3,363.49	0.00	1,806.37	Processing
04/28/2023	GEN	DD85855	BRISCOE, CRAIG A	2,473.36	0.00	1,517.80	Processing
04/28/2023	GEN	DD85856	CAGLE, COREY J	2,962.08	0.00	2,022.18	Processing
04/28/2023	GEN	DD85857	CREGER, JR., PAUL L	2,963.49	0.00	1,271.27	Processing
04/28/2023	GEN	DD85858	EDDY, KIMBERLY T.	2,390.00	0.00	1,877.46	Processing
04/28/2023	GEN	DD85859	FERGUSON, JASON M	2,388.75	0.00	1,776.64	Processing
04/28/2023	GEN	DD85860	FLOWER, JON C.	2,546.40	0.00	1,765.79	Processing
04/28/2023	GEN	DD85861	FULLER, STEVE	2,054.40	0.00	1,284.27	Processing
04/28/2023	GEN	DD85862	HAYNOR, LEE JAMES	2,881.21	0.00	2,191.96	Processing
04/28/2023	GEN	DD85863	HEINRITZ, BENJAMIN W	2,956.36	0.00	1,907.68	Processing
04/28/2023	GEN	DD85864	HENDON, DAVID A	2,075.00	0.00	1,458.21	Processing
04/28/2023	GEN	DD85865	HUMMEL, LEROY	3,163.50	0.00	2,185.08	Processing
04/28/2023	GEN	DD85866	KUNKEL, DOUG	2,516.64	0.00	1,799.09	Processing
04/28/2023	GEN	DD85867	KUYKENDOLL, JEREMY M	2,793.72	0.00	1,776.42	Processing
04/28/2023	GEN	DD85868	LATCHAW, JAYNE M	721.00	0.00	620.78	Processing
04/28/2023	GEN	DD85869	LEASE, GARRETT L	1,848.80	0.00	1,324.80	Processing
04/28/2023	GEN	DD85870	LEASE, MARK A.	2,675.37	0.00	1,689.80	Processing
04/28/2023	GEN	DD85871	MCDANIEL, BRAYDEN W	37.50	0.00	34.64	Processing
04/28/2023	GEN	DD85872	MCNUTT, ROGER A.	1,500.00	0.00	1,212.33	Processing
04/28/2023	GEN	DD85873	MORRISON, JAMES	2,131.20	0.00	1,440.22	Processing
04/28/2023	GEN	DD85874	NOBACH, JONATHAN S	2,397.89	0.00	1,729.27	Processing
04/28/2023	GEN	DD85875	PERKINS, BROOKE M	2,240.00	0.00	1,575.84	Processing
04/28/2023	GEN	DD85876	PIERCE, III, ROBERT J	3,096.00	0.00	2,115.16	Processing
04/28/2023	GEN	DD85877	PLATTE, DILLON S	2,020.00	0.00	1,525.01	Processing
04/28/2023	GEN	DD85878	RICE, ELEXCIA D	312.50	0.00	275.31	Processing
04/28/2023	GEN	DD85879	RICHARDS, NICHOLAS L	1,948.00	0.00	1,348.57	Processing
04/28/2023	GEN	DD85880	RIDGE, YVONNE L	4,211.13	0.00	2,670.66	Processing

Check Register Report For City Of Eaton Rapids  
For Payroll ID: 595 Check Date: 04/28/2023 Pay Period End Date: 04/23/2023

Check Date	Bank	Check Number	Name	Check Gross	Physical Check Amount	Direct Deposit	Status
04/28/2023	GEN	DD85881	SCOTT, CHRISTOPHER A.	2,250.08	0.00	1,436.56	Processing
04/28/2023	GEN	DD85882	SIFTON, LEE H.	3,123.36	0.00	2,021.02	Processing
04/28/2023	GEN	DD85883	SNYDER, KENNETH E	2,600.80	0.00	1,841.54	Processing
04/28/2023	GEN	DD85884	SOUTHWARD, MALLORY M	2,236.80	0.00	1,658.37	Processing
04/28/2023	GEN	DD85885	TWICHELL, ANTHONY S	2,577.52	0.00	1,785.53	Processing
04/28/2023	GEN	DD85886	TYLER, LEIGH A	2,301.62	0.00	1,799.92	Processing
04/28/2023	GEN	DD85887	VERHELLE, TODD W.	2,054.40	0.00	1,340.10	Processing
04/28/2023	GEN	DD85888	WARSOP, JARED L	2,932.87	0.00	1,982.48	Processing
04/28/2023	GEN	DD85889	WEEKS II, LARRY J.	3,349.09	0.00	2,351.72	Processing
Totals:				93,146.40	330.72	63,031.07	
Total Physical Checks:				1			
Total Check Stubs:				38			

INVOICE #: 20230425ETRP

INVOICE DATE: 04/25/23  
DUE DATE: 05/01/23

**ENERGY SERVICES PROJECT**  
**MICHIGAN PUBLIC POWER AGENCY**  
 809 Centennial Way Lansing, MI 48917  
 Telephone: 517-323-8919 Fax: 517-323-8373

**AMOUNT DUE FROM (TO) EATON RAPIDS**

**106,470.65**

Due Date: 05/01/23

Fifth Third Bank - ACH & Wire Information  
 ACH - ABA Routing # 072400052 - Account # 7168131519  
 WIRE - ABA Routing # 042000314 - Account # 7168131519

		DAY AHEAD		REAL TIME		TOTAL \$\$\$
		MWH	\$\$\$	MWH	\$\$\$	
<u>MISO ENERGY</u>	LOAD	1,794.800	54,433.04	52.910	1,156.71	55,589.75
	GENERATION	-	-	(1.711)	(50.00)	(50.00)
BELLE RIVER	GENERATION	-	-	-	-	-
CAMPBELL	GENERATION	-	-	-	-	-
KALKASKA CT	GENERATION	-	-	-	-	-
BILATERALS	GENERATION	(956.800)	(22,454.68)	-	-	(22,454.68)
RENEWABLE	LANDFILL	(33.600)	(1,005.89)	2.076	58.72	(947.17)
	ESP WIND	(287.148)	(6,922.81)	-	-	(6,922.81)
	ESP SOLAR	(220.335)	(6,062.58)	(52.318)	(1,443.17)	(7,505.75)
	HYDRO/SOLAR	-	-	(94.381)	(2,355.07)	(2,355.07)
	SUBTOTAL	296.917	17,987.08	(93.424)	(2,632.81)	15,354.27
LMP	Purchase	311.999	16,151.55	36.309	1,112.55	
	Sale	(15.082)	1,835.53	(129.733)	(3,745.36)	
<u>PJM ENERGY</u>	GENERATION	MWH	\$\$\$			\$\$\$
AFEC	PROJECT COST	(345.956)	(9,867.18)			(9,867.18)
AFEC	LANDFILL	Variable	15,841.33	Fixed	7,315.63	23,156.96
ORCHARD HILLS		(9.199)	(267.31)			(267.31)
Subtotal						13,022.47
<u>MISO OVERHEADS</u>	SOLAR					28.21
	BELLE RIVER					-
	CAMPBELL					-
	PEGASUS					26.75
	ESP					458.57
Subtotal						513.53
<u>ADDITIONAL ITEMS</u>	BILAT CONTRACT COST	04/22/23	04/28/23	MWH	COST	
	PEGASUS CONTRACT COST	04/08/23	04/14/23	956.800	54,945.78	
	ASSEMBLY I CONTRACT COST	04/08/23	04/14/23	287.148	12,289.94	
	ASSEMBLY II CONTRACT COST	04/08/23	04/14/23	116.570	5,306.15	
				156.083	5,882.69	
	STAGE II ARR				-	
	RAA CAPACITY CREDIT				(844.13)	
	MVP DISTRIBUTION				(0.05)	
	SCHEDULE 49				-	
	MONTHLY TRANSMISSION	March-23			-	
	MONTHLY TRANSMISSION	Prior Adjustments			-	
	MONTHLY CAPACITY	March-23			-	
	MISCELLANEOUS				-	
Subtotal						77,580.38
<b>TOTAL AMOUNT DUE FROM (TO) EATON RAPIDS</b>					<b>106,470.65</b>	
04/08/23	S7	04/14/23	S14	04/01/23	S65	02/19/23
02/25/23	S105	12/31/22	01/06/23			

INVOICE #: 20230502ETRP

INVOICE DATE: 05/02/23  
DUE DATE: 05/08/23

**ENERGY SERVICES PROJECT**  
**MICHIGAN PUBLIC POWER AGENCY**  
 809 Centennial Way Lansing, MI 48917  
 Telephone: 517-323-8919 Fax: 517-323-8373

## AMOUNT DUE FROM (TO) EATON RAPIDS

**87,425.88**

Due Date 05/08/23

## Fifth Third Bank - ACH &amp; Wire Information

ACH - ABA Routing # 072400052 - Account # 7168131519  
WIRE - ABA Routing # 042000314 - Account # 7168131519

		DAY AHEAD		REAL TIME		TOTAL \$\$\$
		MWH	\$\$\$	MWH	\$\$\$	
<b>MISO ENERGY</b>						
LOAD	LOAD	1,887.100	55,309.20	17,774	1,236.42	56,545.62
	GENERATION	-	-	-	-	-
BELLE RIVER	GENERATION	-	-	-	-	-
CAMPBELL	GENERATION	-	-	-	-	-
KALKASKA CT	GENERATION	-	-	-	-	-
BILATERALS	GENERATION	(956.800)	(23,766.23)			(23,766.23)
RENEWABLE	LANDFILL	(38.400)	(1,121.96)	(3.620)	(84.26)	(1,206.22)
	ESP WIND	(258.759)	(6,276.37)			(6,276.37)
	ESP SOLAR	(191.610)	(5,555.68)	36.018	829.27	(4,726.41)
	HYDRO/SOLAR	-	-	(70.728)	(2,049.77)	(2,049.77)
	<b>SUBTOTAL</b>	<b>441.532</b>	<b>18,588.96</b>	<b>(20.556)</b>	<b>(68.34)</b>	<b>Subtotal 18,520.62</b>
LMP	Purchase	445.003	18,262.87	56.917	1,763.11	
	Sale	(3.471)	326.09	(77.473)	(1,831.45)	
<b>PJM ENERGY</b>						
AFEC	GENERATION	MWH	\$\$\$			\$\$\$
AFEC	PROJECT COST	Variable	-	Fixed	7,315.63	7,315.63
ORCHARD HILLS	LANDFILL	(9.366)	(289.21)			(289.21)
<b>Subtotal</b>						<b>7,026.42</b>
<b>MISO OVERHEADS</b>	SOLAR					31.40
	BELLE RIVER					-
	CAMPBELL					-
	PEGASUS					27.68
	ESP					501.82
<b>Subtotal</b>						<b>560.90</b>
<b>ADDITIONAL ITEMS</b>						
BILAT CONTRACT COST	04/29/23	05/05/23	MWH	COST		
PEGASUS CONTRACT COST	04/15/23	04/21/23	772.800	44,703.94		
ASSEMBLY I CONTRACT COST	04/15/23	04/21/23	258.758	11,074.85		
ASSEMBLY II CONTRACT COST	04/15/23	04/21/23	66.502	3,027.21		
			89.09	3,357.83		
STAGE II ARR						-
RAA CAPACITY CREDIT						(844.13)
MVP DISTRIBUTION						(1.76)
SCHEDULE 49						-
MONTHLY TRANSMISSION	April-23					-
MONTHLY TRANSMISSION	Prior Adjustments					-
MONTHLY CAPACITY	April-23					-
MISCELLANEOUS						-
<b>Subtotal</b>						<b>61,317.94</b>
<b>TOTAL AMOUNT DUE FROM (TO) EATON RAPIDS</b>						<b>87,425.88</b>
04/15/23	S7	04/21/23	S14	02/26/23	S55	01/07/23
		04/08/23		03/04/23		S105
		04/14/23				01/13/23

*Yonge Ridge*  
 5/14/23



Pamela Colestock – Mayor  
William Steele – Mayor Pro Tem  
Suzanne Politza – Councilwoman  
Stacey Robison – Council-at-Large  
Ken Nicholas – Councilman

200 S. Main Street  
Eaton Rapids, MI 48827  
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Fax (517) 663-1116  
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Yvonne Ridge – City Manager/Treasurer  
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Larry Joe Weeks – Police Chief  
Roger McNutt – Fire Chief  
LeRoy Hummel – Building Official  
Rob Pierce – Public Works/Utilities Director  
Randy Jewell – City Assessor  
Corey Cagle – Director of Parks,  
Recreation & Events

MEETING DATE: 05/08/2023

BUILDING  
DEPARTMENT  
X Work Session  
X Regular Meeting

To: Mayor and City Council  
From: LeRoy Hummel, Building Official  
Submitted: 05/03/2023  
Subject: Planning Commission Recommendation

#### **SUMMARY**

The Planning Commission reviewed a land division in the South Industrial Park for the City along Mike Simpson Dr. and the corner of Kinneville. This land division will be for the proposed recycling center. The proposed new parcel will also include Out lot C which is originally from the original plat of the industrial park. The proposed new parcel is compliance with the Zoning ordinance for lot size.

The Planning Commission made the recommendation to approve the land division.

#### **STAFF RECOMMENDATION/MOTION**

Motion to approve the land division.

#### **LIST OF SUPPORTING DOCUMENTS**

Survey of proposed parcel.  
Overall map of where the parcel is located.  
Communication to Planning Commission





## PLANNING COMMISSION LOT SPLIT APPLICATION

<b>Application Fee:</b>	Application Dated: <u>4 April 23</u>
Applicant/Owner Name (please print): <u>City of Eaton Rapids</u>	
Applicant/Owner Name (please print): <u>City of Eaton Rapids</u>	
Applicant/Owners Email Address: <u>yridge@cityofeatonrapids.com</u>	Applicant/Owners Phone Number: <u>517.237.3796</u>
Subject of Lot Split. App Street Address(es):	Applicant/Owner's Street Address: <u>200 S. Main</u>
<u>Approximately 1610 Mike Simpson Dr.</u>	Applicant/Owner's Street Address:
	Parcel No(s): <u>300.010.200.002.03</u>
<ol style="list-style-type: none"> <li>1. Attach a copy of the legal description for all affected parcels (contact the City Assessor for needed information)</li> <li>2. Attach a survey showing the dimensions and layout of the proposed split or splits and the new lot dimensions any building(s) on any of the affected parcels; show all set backs of all buildings from all lot lines, also show any streets on the same survey. If there is a proposed private road, the dimensions and descriptions of the easement must be submitted, in compliance with private road standards described in Section 21.50 of the City of Eaton Rapids Zoning Ordinance.</li> <li>3. Reason for the Lot Split:  <div style="text-align: center; font-size: 1.2em; margin-top: 10px;"> <u>To create a parcel to use for proposed recycling center.</u> </div> </li> <li>4. Have all parties involved in or affected by the lot split sign below and by signing, give consent to the proposed lot split or splits that have been described above.</li> </ol>	
Applicant/Owners Signature(s):	Dated:
<u>Gronne Ridge</u>	<u>4/4/23</u>
<b>FOR USE BY CITY OF EATON RAPIDS EMPLOYEES ONLY</b>	
Date Received: <u>4 April 23</u>	Paid: <u>NA</u>

Article XVIII General Standards

Sec 18.13 Land Division

Create new parcel of 4.05 acres at the corner of Mike Simpson Dr  
& Kinnearville Hwy. Parcel split out of parcel # 300.010.200.002.03

The Building Official will review this application and forward it to the Planning Commission for their action at a regularly scheduled meeting. These meetings are planned for the first Monday in every month at 7:00 pm at the Eaton Rapids City Hall.



DESCRIPTION OF REMAINDER:

COM S 1/4 COR SEC 3; N02°26'09"E 585.61 FT TO POB; N87°42'27"W 81.11 FT; 75.27 FT NWLY ALONG ARC OF CURVE TO RIGHT W/RADIUS OF 283 FT BEARING N12°07'57"W; S87°37'46"E 99.99 FT; S02°26'09"W 72.55 FT TO POB. S 1/2 OF SW 1/4 OF SE FRL 1/4 SEC 3 EXCEPT COM S 1/4 COR SEC 3 FOR POB; N02°26'09"E 474.68 FT; 31.73 FT SELY ALONG ARC OF CURVE TO LEFT W/RADIUS OF 283 FT BEARING S51°02'0"E; S54°14'42"E 103.98 FT; 214.09 FT SELY ALONG ARC OF CURVE TO RIGHT W/RADIUS OF 217 FT BEARING S25°58'52"E; S02°16'58"W 218.71 FT TO S SEC LINE; N87°21'17"W 210.75 FT TO POB. COM S 1/4 COR SEC 3; N 474.68 FT TO POB; N 110.93 FT; W 81.11 FT; 138.64 FT SELY ALONG ARC OF CURVE TO LEFT W/RADIUS OF 283 BEARING S33°47'13"E TO POB. COM AT N 1/4 COR SEC 10 FOR POB; S 1567.5 FT TO CEN OF RD; SELY ALONG RD TO PT 980 FT DUE E OF NS 1/4 LINE; N 2470 FT TO N SEC LINE; W 980 FT TO BEG EXCEPT COM N 1/4 COR SAID SEC 10 FOR THE POB; S87°21'17"E 210.75 FT; S02°16'58"W 234.41 FT; N88°02'35"W 210.75 FT; N02°16'58"E 236.94 FT TO POB. ALSO EXCEPT COM N 1/4 COR SEC 10; S0°19'33"W 391.94 FT TO POB; E 208.82 FT; SELY 61.2 FT ALONG ARC OF CURVE TO RIGHT W/RADIUS OF 967 BEARING S01°29'14"E; S0°19'33"W 248.83 FT; W 210.75 FT TO N-S 1/4 LINE; N0°19'33"E 310 FT TO POB. SEC 3 AND 10, T1N,R3W, CITY OF EATON RAPIDS.

Excepting therefrom:

A parcel of land in the North 1/2 of Section 10, T1N, R3W, City of Eaton Rapids, Eaton County, Michigan, described as: Commencing at the North 1/4 Corner of said Section 10; thence S02°16'58"W along the North-South 1/4 line 701.94 feet to the point of beginning; thence S88°02'35"E 210.75 feet to the West line of Mike Simpson Drive; thence S02°16'58"W along said West line 522.39 feet; thence 340.43 feet Southwesterly continuing along said West line along the arc of a curve to the right, said curve having a radius of 467.00 feet, a delta angle of 41°46'00" and a chord length of 332.94 feet bearing S23°09'58"W; thence N86°34'00"W 92.08 feet to said North-South 1/4 line and the Southeast corner of Outlot - C, Eaton Rapids Industrial Park; thence N02°16'58"E along said 1/4 line 830.41 feet to the point of beginning. ALSO:

Outlot-C, Eaton Rapids Industrial Park, a part of the Northwest 1/4, Section 10, T1N R3W, City of Eaton Rapids, Eaton County, Michigan, according to the recorded plat thereof. Said parcel containing 4.05 total acres more or less; said parcel subject to all easements and restrictions if any.

NORTH 1/4 CORNER  
SECTION 10, T1N R3W

## Certificate of Survey

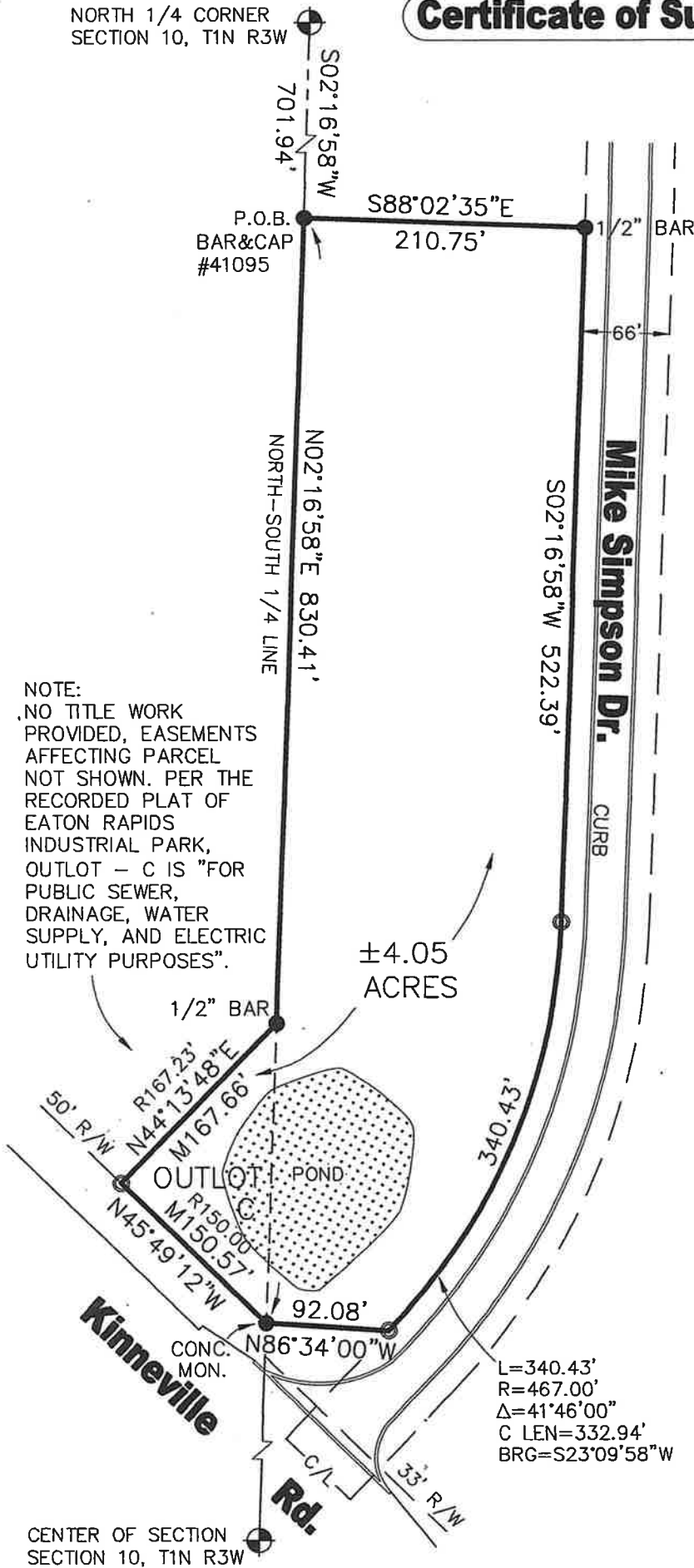
Legal Description as Surveyed:

A parcel of land in the North 1/2 of Section 10, T1N, R3W, City of Eaton Rapids, Eaton County, Michigan, described as: Commencing at the North 1/4 Corner of said Section 10; thence S02°16'58"W along the North-South 1/4 line 701.94 feet to the point of beginning; thence S88°02'35"E 210.75 feet to the West line of Mike Simpson Drive; thence S02°16'58"W along said West line 522.39 feet; thence 340.43 feet Southwesterly continuing along said West line along the arc of a curve to the right, said curve having a radius of 467.00 feet, a delta angle of 41°46'00" and a chord length of 332.94 feet bearing S23°09'58"W; thence N86°34'00"W 92.08 feet to said North-South 1/4 line and the Southeast corner of Outlot - C, Eaton Rapids Industrial Park; thence N02°16'58"E along said 1/4 line 830.41 feet to the point of beginning. ALSO: Outlot-C, Eaton Rapids Industrial Park, a part of the Northwest 1/4, Section 10, T1N R3W, City of Eaton Rapids, Eaton County, Michigan, according to the recorded plat thereof. Said parcel containing 4.05 total acres more or less; said parcel subject to all easements and restrictions if any.

NORTH 1/4 CORNER SECTION 10, T1N R3W  
FD. 3" ANGLE IRON  
CONC. MON, SOUTH 2.00'  
FD. KEBS N&T S/S 30" OAK N80°E 20.68'  
FD. KEBS N&T S/S 36" OAK N75°E 6.75'  
FD. N&T W/S 14" SASSAFRASS S10°W 24.55'

CENTER OF SECTION 10, T1N R3W  
4" STEEL POST W/ PK NAIL ON TOP  
C/L GAS SIGN, SOUTH 46.39'  
FD. N&T SE/S 20" CHERRY N25°E 1.80'  
FD. N&T SW/S 12" CHERRY N20°W 10.52'  
FD. N&T S/S 8" ASH, EAST 64.19'

NOTE:  
NO TITLE WORK  
PROVIDED, EASEMENTS  
AFFECTING PARCEL  
NOT SHOWN. PER THE  
RECORDED PLAT OF  
EATON RAPIDS  
INDUSTRIAL PARK,  
OUTLOT - C IS "FOR  
PUBLIC SEWER,  
DRAINAGE, WATER  
SUPPLY, AND ELECTRIC  
UTILITY PURPOSES".



CENTER OF SECTION  
SECTION 10, T1N R3W

All bearings are derived from the North line of Section 10 which is recorded to bear S87°42'27"E on the plat of Eaton Rapids Industrial Park.

I hereby certify to the parties named hereon that the attached survey has been completed in accordance with Public Act 132 of 1970, as amended, and that the ratio of closure of unadjusted field observations does not exceed 1 in 5000.

Anthony Bumstead  
Professional Surveyor No. 41095  
Date: 4/03/23

### Legend:

- = Set Bar & Cap #41095
- = Found Monument
- = Survey Boundary Line
- = Distance Not To Scale
- ⊕ = Section Corner
- ×—× = Fence Line
- M = Measured Value
- R = Recorded Value

### Bumstead Land Surveys

518 W. Lovett No. 3  
Charlotte, Michigan 48813  
Phone (517)543-0194 Fax (517)543-0258

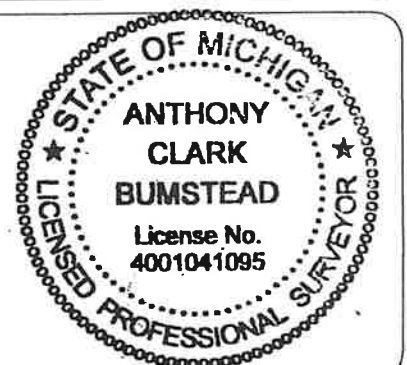
Client: City of Eaton Rapids

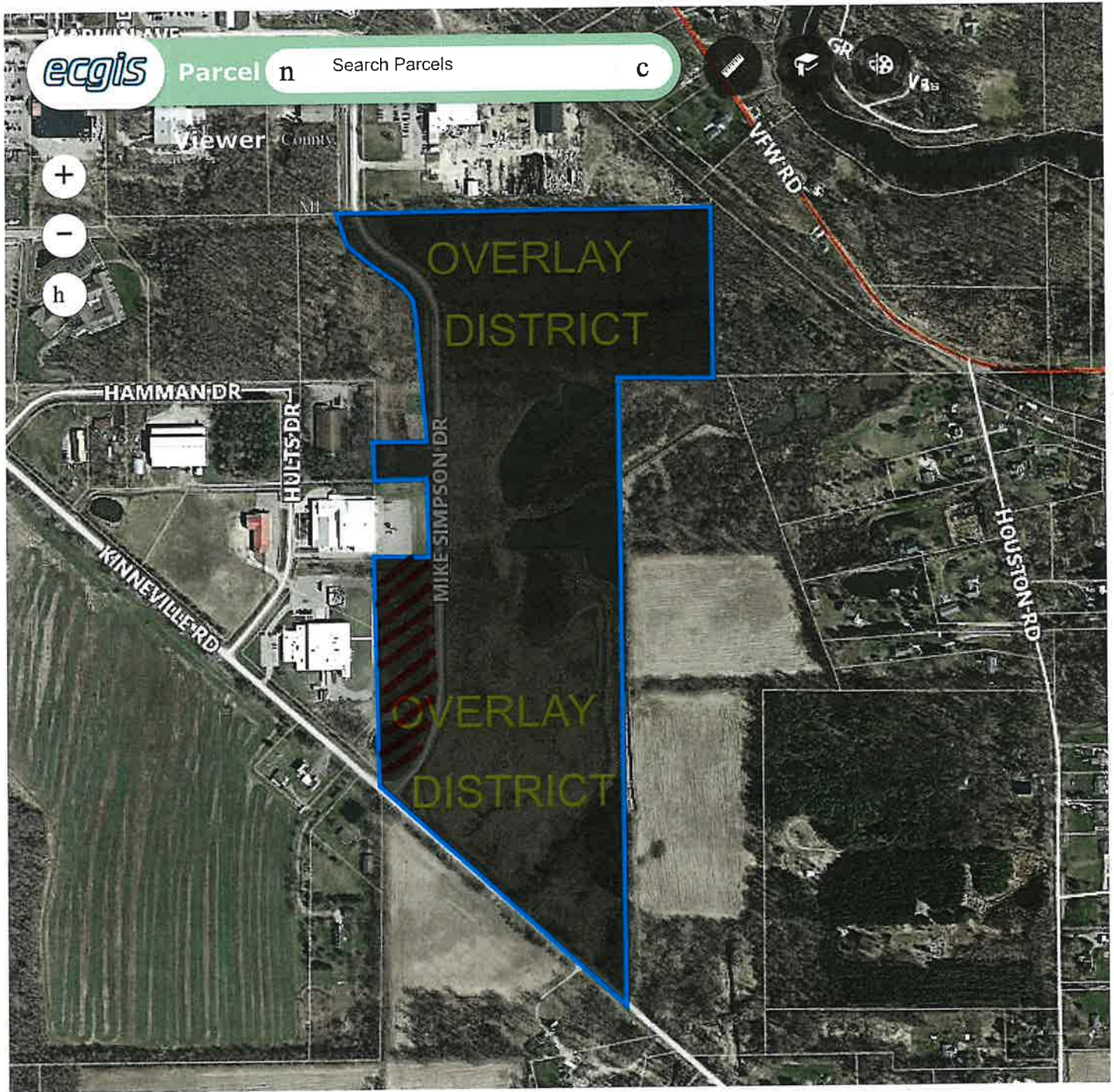
Revised: N/A

Scale: 1" = 120'

Sheet 1 of 1

Job No.: 23021





 Land Division Area

-84.647 42.493 Degrees

600ft





**Sec. 18.13. - Land Division.**

Upon the filing of an application, which shall include a legal description of the proposed partition or division of the newly formed parcels, and a survey prepared and certified by a registered land surveyor, and upon payment of the fee as established by city council, by the owner(s) or their agent or designee, with the city manager, or his designee, such application shall be forwarded to the planning commission for review, certification and recommendation to the city council for resolution. When said resolution is ordained, platted lots, outlots, parcels of land in existing recorded plats, or land located in unplatted areas described by meets-and-bounds descriptions, may be partitioned or divided provided the land division shall in regard to width, depth and area, conform to the terms and provisions of the City Zoning Ordinance, the Michigan Land Division Act, P.A. 591 of 1996 and P.A. 87 of 1997, respectfully as combined and as amended, formally known as P.A. 288 of 1967, the Subdivision Control Act, P.A. 172 of 1929, the Plat Act, and other pertinent ordinances.

(Ord. No. 2002-6, 8-26-02)



Pamela Colestock – Mayor  
William Steele – Mayor Pro Tem  
Suzanne Politza – Councilwoman  
Stacey Robison – Council-at-Large  
Ken Nicholas – Councilman

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LeRoy Hummel – Building Official  
Rob Pierce – Public Works/Utilities Director  
Randy Jewell – City Assessor  
Corey Cagle – Director of Parks,  
Recreation & Events

MEETING DATE: 05/08/2023

BUILDING  
DEPARTMENT  
X Work Session  
X Regular Meeting

To: Mayor and City Council  
From: LeRoy Hummel, Building Official  
Submitted: 05/03/2023  
Subject: Planning Commission Recommendation

#### **SUMMARY**

The Planning Commission reviewed an application for a Home-Based Business for a Group Day Care (7-12 children) at 206 Albers. Please see attached communication for the details of the request. The Planning Commission did include in their recommendation to allow for the 18,208 square foot total lot being that the required fence area is 5,315 square feet, which is greater than the 5,000 square feet required by the ordinance.

#### **STAFF RECOMMENDATION/MOTION**

Motion to approve the Home - Based Business for a Group Day Care at 206 Albers.

#### **LIST OF SUPPORTING DOCUMENTS**

Application for Home Based Business  
Overall Map of location  
Communication to Planning Commission



## CONDITIONAL USE APPLICATION

<b>Application Fee: \$50</b>		<b>Application Dated:</b>	
<b>Applicant/Owner Name (please print):</b> <u>Russell Frinkle</u>		<b>Applicant/Owner's Email Address:</b> <u>lastguy1234@yahoo.com</u>	
<b>Applicant/Owner's Phone Number:</b> <u>517-862-7854</u>		<b>Address for Proposed Conditional Use:</b>	
<b>Applicant/Owner's Street Address:</b> <u>206 Albers St.</u>		<u>206 Albers St.</u>	
<b>Parcel No.:</b> <u>30008160005000</u>		<b>Current Zoning of App. Subject Property:</b> <u>Single Family Res.</u>	
<b>1. Type of Conditional Use Requested:</b>  <div style="font-size: 1.2em; margin-top: 10px;">           Request to operate a licensed child care (group 7-12)            out of our home. Zoning permission is required            by L.A.R.A. to move forward.         </div> <div style="text-align: right; margin-top: 20px; font-style: italic;">           Thank you         </div>			
<b>2. If you are not the current owner of the property which this application is for, but have a pending purchase agreement, please submit a copy of that purchase agreement with this application.</b>			
<b>3. I HEREBY DEPOSE THAT ALL OF THE INFORMATION PROVIDED IN THIS APPLICATION AND ANY ATTACHMENT SUBMITTED HEREWITH ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</b>			
<b>Applicant/Owners Signature:</b> <u>[Signature]</u>		<b>Dated:</b> <u>4-7-23</u>	
<b>FOR USE BY CITY EMPLOYEES ONLY</b>			
<b>Date Received:</b> <u>4/10/23 LF</u>		<b>Date Paid:</b>	

249.253.60900



**ARTICLE V. - LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT (RD1)****Sec. 5.10. - Purpose.**

The purpose of this district is to provide an environment in which the principal use of land is for single-family dwellings of a relatively low density. It is further the intent of this district to provide for such uses as schools, churches, libraries, parks, playgrounds, and other public and semi-public uses, along with certain home occupations, accessory buildings, and others to coexist on a limited and structured basis adjacent to residential uses.

Further, the objectives of this Article include:

- A. To encourage the construction of, and the continued use of the land for single-family dwellings;
- B. To prohibit intensive business, commercial, or industrial use of the land, and to prohibit any other use which would substantially interfere with development or maintenance of single-family dwellings in the district.
- C. To encourage the discontinuance of existing uses that would not be permitted as new uses under the provisions of this Ordinance.
- D. To discourage any land use which would generate volumes of traffic on minor or local streets, greater than that normally associated with residential streets.
- E. To discourage any use which, because of its character or size, would create requirements and costs for public services such as fire and police protection, water supply, and sewer treatment substantially in excess of such requirements and costs normally associated with single-family dwellings.
- F. To permit the continuation of the agricultural use of open lands in such a manner that their future use as desirable residential areas will be guaranteed.

**Sec. 5.20. - Principal Permitted Uses.**

No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance:

- A. Single-family detached dwellings.
- B. Home occupations.
- C. Adult foster care family homes, provided, this subsection shall not apply to adult foster care facilities, licensed by a state agency, for the care and treatment of persons released from or assigned to adult correctional institutions.



- D. Public, quasi-public, and institutional uses, such as, but not limited to, municipal buildings and offices, courthouses, public off-street parking facilities, libraries, museums, public safety facilities, parks, post offices, and civic centers, (excluding storage yards for the same).
- E. Essential public services when conducted within a completely enclosed building, excluding storage yards.
- F. Churches and other facilities normally incidental thereto.
- G. Off-street parking.
- H. Accessory structures and uses customarily incidental to the above permitted uses.

#### Sec. 5.30. - Conditional Uses.

The following uses shall be considered conditional and shall require a conditional use approval, and shall comply with any applicable conditional use requirements of Article XXIII:

##### A. Home-based businesses.

- B. Public, parochial, and private elementary, intermediate, and/or high schools offering courses in general education, not operated for profit.
- C. Public hospitals, but not including institutions for the care of the insane, provided that the hospital is adjacent to an arterial roadway as defined in the Eaton Rapids Comprehensive Plan.
- D. Private recreation areas, uses, and facilities including country clubs, golf courses, and swimming pools.
- E. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including service or storage yards, when operating requirements necessitate the locating within the district in order to serve the immediate vicinity.
- F. Cemeteries.
- G. Plant nurseries and greenhouses.
- H. Private stables for the keeping of horses and ponies for private use.
- I. Truck gardening and associated road stand solely for the sale of produce grown on the land used for agricultural purposes.
- J. Daycare center.
  - 1. The site shall be evaluated for the degree of potential residential and institutional use conflicts.
  - 2. The site should preferably be located at the edge of residential districts.
  - 3. The site shall have a minimum lot area of sixty-five thousand (65,000) square feet.

4. Site locations should offer natural or manmade barriers that would lessen the impact of the institutional intrusion upon a residential area.
  5. The building shall use massing, building materials and architectural elements to blend in with the surrounding residential areas, such as peaked roofs and porches.
  6. All playground equipment and areas for playing and exercise shall be in the side and/or rear yard of the property. This area shall contain a minimum of five thousand (5,000) square feet per twelve (12) children and be screened from abutting residential uses and districts.
  7. Motor vehicle ingress and egress shall be made directly to an arterial street as defined in the Eaton Rapids Comprehensive Plan and setback a minimum of twenty (20) feet from abutting residential properties or uses.
  8. The building front, side and rear setbacks shall be thirty (30) feet minimum from the property or street lines unless determined by the Planning Commission a greater setback is needed.
  9. Parking and drop off/pick up areas shall be located in the side and rear yards with a setback of twenty (20) feet minimum from the property lines and screened in accordance with Section 21.10.
  10. One nonilluminated wall sign not to exceed six (6) square feet shall be the only signage permitted.
  11. Paved walkways shall be provided from the main building entrance(s) to any sidewalks along the adjacent public street.
  12. Waste receptacles and mechanical equipment shall be screened in accordance with the standards identified in Section 20.30.
- K. Convalescent or nursing homes, housing for the elderly.
1. The site shall be evaluated for the degree of potential residential and institutional use conflicts.
  2. The site should preferably be located at the edge of residential districts.
  3. The site shall have a minimum lot area of two (2) acres.
  4. Site locations should offer natural or manmade barriers that would lessen the impact of the institutional intrusion upon a residential area.
  5. The building shall use massing, building materials and architectural elements to blend in with the surrounding residential areas, such as peaked roofs and porches.
  6. The allowable density of the underlying zoning district may be increased by no more than fifty (50) per cent for all nursing care units licensed by the State of Michigan, or twenty-five (25) per cent for nonlicensed nursing care and supportive care units.

7. All dwelling units shall have a minimum of four hundred fifty (450) square feet per unit.
8. Motor vehicle ingress and egress shall be made directly to an arterial street as defined in the Eaton Rapids Comprehensive Plan and setback a minimum of twenty (20) feet from abutting residential properties or uses.
9. The building front, side and rear setbacks shall be thirty (30) feet minimum from the property or street lines unless determined by the Planning Commission a greater setback is needed.
10. Parking shall be located in the side and rear yards with a setback of twenty (20) feet minimum from the property lines and screened in accordance with Section 21.10.
11. Retail and service uses may be permitted on the site, if such uses are accessory to the elderly housing use. All such uses shall be within the residential building. Nonilluminated wall signs not to exceed twelve (12) square feet are the only signage permitted for these accessory uses.
12. Signage for the main use shall be a monument sign not to exceed six (6) feet in height and twenty-five (25) square feet in area.
13. Paved walkways shall be provided from the main building entrance(s) to any sidewalks along the adjacent public street.
14. Ambulance and delivery areas shall be obscured from adjoining residential properties in accordance with the standards identified in Article XX.
15. Waste receptacles and mechanical equipment shall be screened in accordance with the standards identified in Section 20.30.

(Ord. No. 2016-3, 4-11-16)

Sec. 5.40. - Development Requirements.

The following requirements shall be met within a Low Density Single-Family Residential District (RD1):

- A. Development plan approval for all non single-family residential uses as specified in Article XVI of this Ordinance.
- B. Off-street parking, loading, and access management standards for all uses specified in Article XXI of this Ordinance.
- C. Signs for all uses as specified in Article XXII of this Ordinance.
- D. Height, area, lot coverage, and yard regulations as specified in Article XVII of this Ordinance.
- E. Landscaping requirements as specified in Article XX of this Ordinance.

**ARTICLE XXIII. - CONDITIONAL USE REQUIREMENTS****Sec. 23.10. - Purpose.**

The formulation and enactment of this Ordinance is based upon the division of the city into specific districts, in each of which certain specified, mutually compatible uses are permitted by right. In addition to such uses, however, there are certain other uses which may be essential or desirable for the welfare of the community and its citizenry, or substantial parts of it. Such uses may be entirely appropriate and not essentially incompatible with the uses permitted by right in a zoning district, though not at every or even at any location therein, or without restrictions or conditions being imposed by reason of special problems presented by the use or its particular location in relation to neighboring properties.

This Ordinance therefore requires approval of conditional uses of each use listed in the individual zoning districts as "conditional uses", and specifies in this section the procedures and standards that are to be followed.

**Sec. 23.20. - Application and Review Procedure.**

The following application and review procedure shall be utilized for the issuance of a conditional use permit:

- A. *Initiation of request for conditional use.* Any person having a freehold interest in land, or a possessory interest entitled to exclusive possession, or a contractual interest which may become a freehold interest, and which is specifically enforceable, may file an application to use such land for one or more of the conditional uses provided for in this Ordinance in the zoning district in which the land is located.
- B. *Application for conditional use.* An application for a conditional use shall be filed with the building inspector on an application form prescribed by the city. The application shall be accompanied by such plans and/or data prescribed by the building inspector and shall include as a minimum the requirements of Article XVI, Development Plan. Additionally, evidence shall be provided demonstrating that the proposed conditional use conforms to the standards set forth in this Article. All required fees, including the costs associated with notices for the public hearing, as prescribed by the city council shall accompany the application.
- C. *Action on the application.* Upon receipt of an application that complies with all submittal requirements and payment of all applicable fees, the city shall have published in a newspaper of general circulation in the city, one (1) notice that a request for a conditional use approval has been received. Additionally, the city shall send by mail or by personal delivery said notice to all owners of property for which approval is begin considered, to property owners and

occupants of each dwelling unit within three hundred (300) feet of the boundary of the property in question. For structures containing more than four (4) dwelling units owned or leased by different individuals, partnerships, businesses, or organizations, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure.

The notice shall be given not less than five (5) and not more than fifteen (15) days before the application will be considered. If the name of the occupant is not known, the term "occupant" may be used in making notification.

The notice shall:

1. Describe the nature of the conditional use request.
  2. Indicate the property, which is subject of the conditional use request.
  3. State when and where the conditional use request will be considered.
  4. Indicate when and where written comments will be received concerning the request.
  5. Indicate that a public hearing on the conditional use request may be requested by a property owner or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for a conditional use.
- D. *Public hearing.* At the initiative of the planning commission, or upon the request of the applicant for conditional use authorization, or a property owner or the occupant of a structure located within three hundred (300) feet of the boundary of the property being considered for the conditional use approval, a public hearing with notification as required for a notice of request for conditional use approval, shall be held before a decision on the conditional use request is made. If the applicant or the planning commission requests a public hearing, only notification of the public hearing need be made. A decision on a conditional use request, which is based on discretionary grounds shall not be made unless notification of the request for conditional use approval, or notification of a public hearing on a conditional use request is given as required by this Article.
- E. *Authorization.* For each application for a conditional use, the building inspector and/or consultant retained by the city, shall review said application and make a recommendation to the planning commission. The planning commission may deny, approve, or approve with conditions any application for a conditional use.
- F. *Basis for decision.* The planning commission shall incorporate their decision into a statement of conclusions relative to the conditional use under consideration. The decision shall specify the basis for the decision and any conditions imposed.

Sec. 23.30. - Standards and Requirements Per Conditional Use.

For the purpose of this Ordinance, these uses shall be known as conditional uses as set forth in the individual districts and shall be allowed within that particular district subject to the development requirements for the district, provided the city council finds the conditional use affirmatively meets the following criteria deemed applicable in each case, and any specific standards of approval for that use:

- A. The conditional use will promote the use of land in a socially and economically desirable manner for persons who will use the proposed land use or activity, for landowners and residents who are adjacent thereto, and for the city as a whole;
- B. The conditional use is compatible and in accordance with the goals, objectives, and policies of the city's adopted land use plan and/or master plan;
- C. The conditional use is necessary for the public convenience at that location;
- D. The conditional use is compatible with adjacent uses of land and can be constructed, operated, and maintained so as to continue to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character of the area in which it is proposed;
- E. The conditional use shall be of such location, size, and character that it will be harmony with the appropriate and orderly development of the district in which it is situated and will not be detrimental to the orderly development of adjacent districts;
- F. The conditional use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected;
- G. The conditional use can be adequately served by public services and facilities without diminishing or adversely affecting public services and facilities to existing land uses in the area;
- H. The conditional use will not cause injury to the value of other property in the neighborhood in which it is to be located;
- I. The location, use, and assembly of persons in connection with the proposed conditional use will not be hazardous to the district in which the use is located, hazardous to a specific use or life and property within the district, or be incongruous therewith or in conflict with the normal traffic of the district;
- J. The conditional use will protect the natural environment, help conserve natural resources and energy, and will not involve uses, activities, processes, materials, and equipment or conditions of operation that will be detrimental to the natural environment, public health, safety, or welfare by reason of excessive production of traffic, noise, smoke, odors, or other nuisance;
- K.



The vehicular circulation for the proposed conditional use will be in the best interest of the public health, safety, and welfare in relationship to egress/ingress to the site, vehicular turning movements related to street intersections and street gradient, sight distance, and potential hazards to the normal flow of traffic; and

- L. The conditional use is within the provisions of uses requiring conditional use approval as set forth in the various zoning districts herein, is in harmony with the purposes and conforms to the applicable regulations of the zoning district in which it is to be located, and the proposed site layout is in compliance with the general standards of Article XVI, regarding site development and shall insure that:
  1. The use and associated activities on the property are so located as not to hinder the projected development of the adjacent properties or to impair the existing uses of adjacent lands. This shall include all uses associated with the particular use such as parking, lighting, display signs, etc.
  2. Sufficient landscaping, fencing, walls, and other means of buffering are provided to insure that operation of the use will not be objectionable to nearby uses or dwellings by reason of noise, fumes, or flash of lights nor interfere with an adequate supply of light and air, nor increase the danger of fire or otherwise create the potential of endangering the public safety.

No conditional use approval shall be granted by the city council unless it finds the conditional use affirmatively meets the criteria listed herein which are deemed applicable in each case.

In addition to the previous standards, the following shall be adhered to:

*Adult Foster Care Group Homes*

1. The site shall be evaluated for the degree of potential residential and commercial use conflicts.
2. No foster care group homes shall be located closer than one thousand five hundred (1,500) feet to any other foster care group home or foster care family home, measured from the nearest wall of each structure.
3. No additional facility shall be approved which would contribute to an excessive concentration of foster care group homes within a neighborhood.

*Agricultural Processing Plants, Breweries, Distilleries, Canning Facilities, and Chemical Plants*

1. The site must be evaluated for consideration of potential odor and pollution nuisances.
2. The site must abut an arterial as defined in the Eaton Rapids Comprehensive Plan, with all ingress and egress directly to such a street.

*Automobile and Other Vehicle Wash Establishments*

1. A minimum front yard setback of twenty (20) feet shall be required for all structures.
2. Required off-street parking and vehicle waiting areas shall be provided in accordance with Article XXI.

*Automotive Fueling Stations, Service Stations, Repair Centers, and Public Garages*

1. All standards and requirements identified in Article XVIII shall be adhered to.

*Boarding Houses, Rooming Houses, and Lodging Houses, and Bed and Breakfast Inns*

1. All standards and requirements identified in Article XVIII shall be adhered to.

*Cemeteries*

1. Sites shall have a minimum lot area of five (5) acres.
2. All structures shall be a minimum of fifty (50) feet from any lot line.
3. The site must abut an arterial or collector as defined in the Eaton Rapids Comprehensive Plan, with all ingress and egress directly to such a street.

*Churches, Temples, and Places of Worship*

1. Site shall have a minimum lot area of one (1) acre.
2. The minimum lot width shall be one hundred (100) feet and the minimum side and rear yards shall be twenty-five (25) feet.
3. The site must abut an arterial or collector as defined in the Eaton Rapids Comprehensive Plan, with all ingress and egress directly to such a street.

*Commercial Greenhouses, Plant Nurseries, and Garden Centers Exceeding 1,000 Square Feet*

1. Site shall have a minimum of one acre.
2. All structures must be a minimum of forty (40) feet from all lot lines.
3. The storage of materials and display areas shall meet all the yard setback requirements applicable to any building in the zoning district.
4. The storage of any soil, fertilizer, or similar loosely packaged materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

*Commercial Outdoor Recreation Establishments (Excluding Golf Related Uses)*

1. Sites must abut an arterial as defined in the Eaton Rapids Comprehensive Plan, with all ingress and egress directly to such a street.
2. No building or spectator seating facility shall be located within fifty (50) feet of a property line.

*Convalescent or Nursing Homes, Housing for the Elderly*

- 1.



The site shall be evaluated for the degree of potential residential and commercial use conflicts.

2. The allowable density of the underlying zoning district may be increased by no more than fifty (50) per cent for all nursing care units licensed by the State of Michigan, or twenty-five (25) per cent for nonlicensed nursing care and supportive care units.
3. All dwelling units shall have a minimum of four hundred fifty (450) square feet per unit.
4. Retail and service uses may be permitted on the site, if such uses are accessory to the elderly housing use. All such uses shall be within the principal residential building. No exterior signs of any type are permitted for these accessory uses.
5. All medical waste facilities shall be secured and meet the requirements of the Public Health Department of the State of Michigan.
6. Paved walkways shall be provided from the main building entrance(s) to any sidewalks along the adjacent public street.

#### *Drive-In or Drive-Through Establishments*

1. All standards and requirements identified in Article XVIII shall be adhered to.

#### *Essential Public Service Buildings and Structures, Public Utility Buildings, Telephone Exchange Buildings, Electric Transformer Stations and Substations, Gas Regulator Stations*

1. No storage yards are permitted in residential zoning districts.
2. Applications must provide evidence of necessity for the proposed location.
3. Electric or gas regulator equipment and apparatus shall be set back a minimum of thirty (30) feet from all lot lines.

#### *Funeral Homes and Mortuaries*

1. Sites shall have a minimum lot area of one (1) acre and minimum lot width of one hundred (100) feet.
2. An off-street vehicle assembly area shall be provided in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.

#### *Golf Courses*

1. Minimum lot size shall be forty (40) acres.
2. The principal and accessory buildings, including maintenance sheds, shall be set back at least fifty (50) feet from all property and street lines.
3. Operational hours for maintenance vehicles, course maintenance and/or irrigation may be restricted to protect nearby residential areas.

#### *Group Day Care Homes*

1. Sites shall have a minimum lot area of twenty thousand (20,000) square feet.
2. An on-site drive shall be provided for drop-offs and loading. This drive shall be provided in accordance with the standards identified in Article XXI.
3. There shall be a fenced, contiguous open space with a minimum area of five thousand (5,000) square feet provided on the same premises as the group day care home. The required open space shall not be located within a required front yard.

#### *Home Occupations*

1. The exterior appearance of the structure shall not be altered or the occupations conducted within the residence in such a manner as would cause the premises to differ from its residential character either by the use of colors, materials, lighting, noise, or vibrations. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists.
2. No person other than members of the immediate family occupying such dwelling shall be employed on the premises.
3. No more than twenty-five (25) per cent of the actual floor area of said residences shall be used for such purposes. The use of accessory buildings for such purposes is prohibited.
4. There shall be no outside storage of any kind, related to the home occupation.
5. The use may not increase vehicular traffic flow and parking beyond that associated with the residential use.
6. Mechanical or electrical equipment employed by the home based business shall be comparable to the machinery or equipment customarily found in the home associated with a hobby or avocations.
7. Only one (1) nonilluminated nameplate which may display the name of the home based business, shall be allowed in accordance with Article XXII of this Ordinance.

#### *Home Based Businesses*

1. The exterior appearance of the structure shall not be altered or the occupations conducted within the residence in such a manner as would cause the premises to differ from its residential character either by the use of colors, materials, lighting, noise, or vibrations. No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists.
- 2.

No more than one (1) person other than members of the immediate family occupying such dwelling shall be employed on the premises.

3. No more than twenty-five (25) per cent of the gross area of one (1) floor of said residence or fifty (50) per cent of an on-site accessory building shall be used for such purposes.
4. There shall be no outside storage of any kind, related to the home based business.
5. The use may not increase vehicular traffic flow and parking by more than one (1) additional vehicle at a time, unless off-street parking, as per Article XXI of this Ordinance, is provided.
6. Mechanical or electrical equipment employed by the home based business shall be comparable to the machinery or equipment customarily found in the home associated with a hobby or avocations.
7. Only one (1) nonilluminated nameplate which may display the name of the home based business, shall be allowed in accordance with Article XXII of this Ordinance.

#### *Hospitals*

1. Sites shall have a minimum lot area of two (2) acres.
2. Front, side, and rear yard minimum setbacks shall be fifty (50) feet.
3. Parking setbacks shall be forty (40) feet in the front yard and twenty (20) feet for side and rear yards.
4. All structures shall be a minimum of one hundred (100) feet from any lot lines of adjacent residential zoning districts.
5. Ambulance and delivery areas shall be obscured from all adjoining residential properties in accordance with the standards identified in Article XX.
6. Sites must abut an arterial as defined in the Eaton Rapids Comprehensive Plan, with all ingress and egress directly to such a street.
7. Accessory uses, such as a pharmacy, gift shop, cafeteria, and similar customary hospital uses shall be allowed, provided they are located within the principal building.

#### *Junkyards, Scrap Yards, Salvage Yards, and Resource Recovery Centers*

1. Sites shall have a minimum lot area of five (5) acres.
2. A fifty (50) foot wide greenbelt as defined in Article XX shall adjoin all property lines.
3. A decorative masonry wall six (6) feet in height shall be required at the interior boundaries of the greenbelt.
4. Junk and scrap materials shall not be stacked higher than the height of the screening wall.
5. Vehicle parts shall not be stored, loaded, unloaded, or dismantled outside the wall enclosing the salvage yard.
- 6.



Pamela Colestock – Mayor  
William Steele – Mayor Pro Tem  
Suzanne Politza – Councilwoman  
Stacey Robison – Council-at-Large  
Ken Nicholas – Councilman

200 S. Main Street  
Eaton Rapids, MI 48827  
(517) 663-8118  
Fax (517) 663-1116  
[www.cityofeatonrapids.com](http://www.cityofeatonrapids.com)

Yvonne Ridge – City Manager/Treasurer  
Laura Boomer – City Clerk  
Larry Joe Weeks – Police Chief  
Roger McNutt – Fire Chief  
LeRoy Hummel – Building Official  
Rob Pierce – Public Works/Utilities Director  
Randy Jewell – City Assessor  
Corey Cagle – Director of Parks,  
Recreation & Events

MEETING DATE: 05/08/2023

BUILDING  
DEPARTMENT  
X Work Session  
X Regular Meeting

To: Mayor and City Council  
From: LeRoy Hummel, Building Official  
Submitted: 05/03/2023  
Subject: Planning Commission Recommendation

#### **SUMMARY**

The Planning Commission reviewed an application from T.A Forsberg for a two (2) year extension of the preliminary plan for 414 Haven St., Eaton Village Condominiums. Please see attached communication for the details of the request. This is required by the Zoning Ordinance.

The Planning Commission made a recommendation to approve the two (2) year extension.

#### **STAFF RECOMMENDATION/MOTION**

Motion to approve the two (2) year extension of the preliminary plan for 414 Haven St., Eaton Village Condominiums

#### **LIST OF SUPPORTING DOCUMENTS**

Email requesting 2-year extension  
Site plan of site condominiums  
Communication to Planning Commission

## **Le Roy Hummel**

---

**From:** Gina Pons <gina@taforsberg.com>  
**Sent:** Tuesday, April 4, 2023 2:31 PM  
**To:** Le Roy Hummel; Yvonne Ridge  
**Subject:** Request to Renew Condo Site - 414 S Haven Street, Eaton Rapids

Good Afternoon

Further to our previous correspondence regarding the site condos located at 414 Haven Street. Please accept this email as our written request to begin the process to renew our condominium project per your site condo ordinance.

Thank you

**Gina Pons-Schultz**

**Vice President**

**T.A. Forsberg, Inc.**

**Forsberg Real Estate Company**

**2422 Jolly Road, Ste 200**

**Okemos, MI 48864**

**517-349-9330 ext 205 phone**

**517-349-7131 fax**

**<http://www.lansingrealestate.com>**

*All correspondence may be monitored for quality assurance and security purposes by T.A. Forsberg, Inc.*

*No discussions or agreements in emails can be interpreted as a binding contract. No agreement is binding until incorporated into a contract form, independent of email discussion, and executed by both parties.*



Pink = Phase 2 (Fall '23)

**EATON VILLAGE CONDOMINIUMS**  
**PROPOSED, DATED MARCH 12, 2020**  
**SURVEY PLAN SHEET, SHEET 2 OF 4**

**LEGEND**

- ◆ = SECTION CORNER
- POB = POINT OF BEGINNING
- = PROPERTY BOUNDARY
- BM = BENCHMARK
- O = FOUND PROPERTY MARKER REPLACED WITH 1/2"
- M = MEASURED
- R = RECORD
- CONC = CONCRETE
- BIT = BITUMINOUS
- TYP = TYPICAL
- = EX AIR CONDITIONER UNIT
- = BARRIER FREE PARKING SPACE
- = PARKING SPACE COUNT

**BENCHMARKS**

BENCHMARK #1 ELEV. = 884.25 (HAYDEN)  
 CHISELED "X" IN SOUTHEAST FLANGE BOLT, UNDER  
 6" IN "886", FIRE HYDRANT, SOUTHWEST  
 QUADRANT OF HAVEN AND GROVE STREETS.

BENCHMARK #2 ELEV. = 226.03 (HAYDEN)  
 PK NAIL, NORTHEAST SIDE UTILITY POLE, 80'  
 SOUTH OF WESTERLY PARCEL CORNER.

NORTH AMERICAN VERTICAL DATUM OF 1988

**SURVEYOR'S CERTIFICATE**

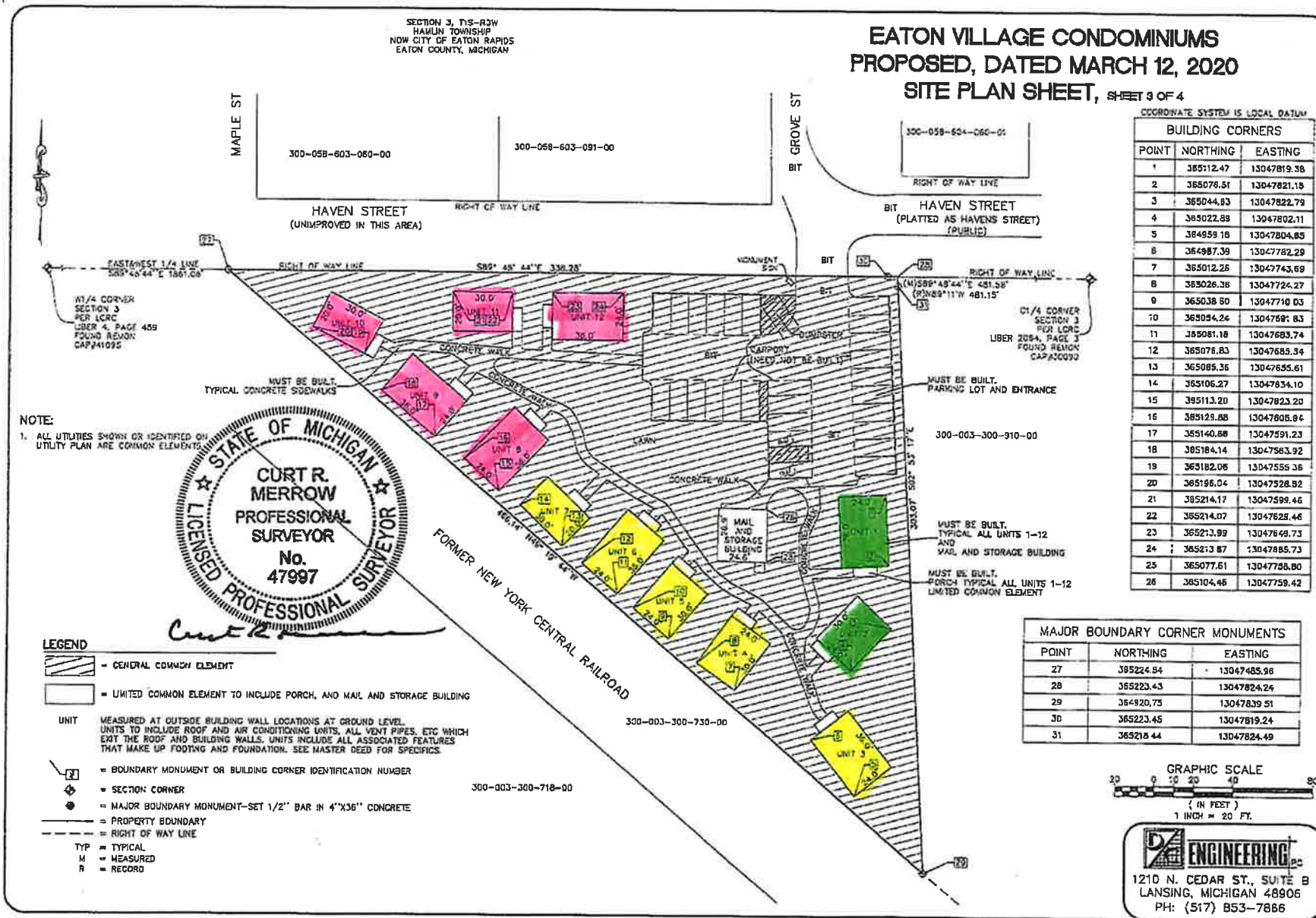
I, CURT R. MERROW, REGISTERED LAND SURVEYOR OF THE STATE OF MICHIGAN, HEREBY CERTIFY:  
 THAT THE SUBDIVISION PLAN KNOWN AS EATON VILLAGE CONDOMINIUMS SUBDIVISION PLAN NO. [blank] AS SHOWN ON THE ACCOMPANYING DRAWINGS, REPRESENTS A SURVEY ON THE GROUND MADE UNDER MY DIRECTION AND THAT THERE ARE KNOWLEDGEABLE UNCHANGING THE LANDS AND PROPERTY DESCRIBED AS SHOWN, THAT THE REQUIRED MONUMENTS AND IRON MARKERS HAVE BEEN LOCATED IN THE GROUND AS REQUIRED BY RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978, THAT THE ACCURACY OF THIS SURVEY IS WITHIN THE LIMITS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978, THAT THE BEARINGS, AS SHOWN, ARE NOTED ON SURVEY PLAN AS REQUIRED BY THE RULES PROMULGATED UNDER SECTION 142 OF ACT NO. 59 OF THE PUBLIC ACTS OF 1978.

**3/12/2020** *Curt R. Merrow*  
 (DATE) (SIGNATURE)

CURT R. MERROW  
 REGISTERED LAND SURVEYOR  
 REGISTRATION NO. 47987  
 DC ENGINEERING, P.C.  
 1210 N. CEDAR STREET  
 SUITE B  
 LANSING, MI 48906

**GRAPHIC SCALE**  
 20 0 20 40 60  
 (IN FEET)  
 1 INCH = 20 FT.

**DZ ENGINEERING PC**  
 1210 N. CEDAR ST., SUITE B  
 LANSING, MICHIGAN 48906  
 PH: (517) 853-7866





**Sec. 18.76. - Site Condominium Development Standards.****A. Purpose and Scope.**

1. Site condominium projects are condominium developments in which each condominium unit consists of an area of vacant land and a volume of vacant air space within which a building or other improvements may be constructed by the condominium unit owner. Each site condominium unit may also have an appurtenant limited common element reserved for the exclusive use of the owner of the condominium unit. Either the condominium unit by itself, or the condominium unit taken together with any contiguous, appurtenant common element, shall be considered to constitute a building site which is the functional equivalent of a "lot" for the purpose of this Ordinance and other applicable laws, ordinances, and regulations. Site condominium projects may also include general common elements consisting of common open space, recreational areas, streets, and other areas available for use by all owners of condominium units within the project. Subject to the district zoning provisions applicable to the project's location, any land use permitted by the City of Eaton Rapids Zoning Ordinance may be permitted in a site condominium project.
2. The purpose of this section is to ensure that the plans for developments within the City of Eaton Rapids proposed under the provisions of the Condominium Act, Act 59 of the Public Acts of 1978, as amended shall be reviewed with the objective and intent of achieving the same characteristics as if the development and improvements therein were being proposed pursuant to the Subdivision Control Act, Act 288 of the Public Acts of 1967, as amended. It is further the intent of this Section to ensure that such development is in conformance with the requirements of this Ordinance, the City of Eaton Rapids Subdivision Regulations, Appendix B, and other applicable city ordinances and state and federal regulations.

**B. Zoning Permit Issuance.** Prior to the issuance of any zoning permit for any use within a site condominium project, the planning commission shall have approved a preliminary and final development plan meeting the requirements of this Ordinance.

**C. Site Condominium Layout, Design, and Required Improvements.** Site condominium subdivision plans shall conform to the design, layout, and improvement standards included in the City of Eaton Rapids Development Standards Ordinance, Appendix B, as adopted and amended, and specifically the following sections from Article IV, Appendix B, which are included herein by reference:

1. Section 400, Streets and alleys.
2. Section 401, Utility and other easements.
3. Section 402, Lots.
4. Section 403, Blocks.



Section 404, Open spaces.

5.

6. Section 405, Sidewalks.7. Section 406, Use.8. Section 407, Commercial or industrial modification.9. Section 408, Utilities and improvements.

- D. *Inspections and Specifications.* The city council may establish inspection fees, inspection requirements, specification standards, and administrative procedures as provided by law and such shall be deemed to be requirements of this Ordinance. All plans and installation of improvements called for shall be subject to the approval of the city or its agent, or such other competent persons as designated by the city. All inspection fees shall be paid by the applicant before the final plan is signed by the city unless adequate financial guarantees are given to the city prior to final plan approval.
- E. *Height, Bulk, Density, and Area.* The height, bulk, density, and area by land use requirements set forth in this Ordinance shall also apply to condominium units. For purposes of this section, the minimum building site is equivalent to the minimum lot size of the respective zoning district.
- F. *Setbacks and Boundaries.* The setback requirements for condominium buildings shall be determined as follows:
1. *Single-family detached units.*
    - a. The front yard setback shall be one-half (½) the approved or recorded street right-of-way, plus the current setback for the existing zoning district.
    - b. The side yard setbacks shall be twice the minimum required within the zoning district. The distance from the unit to the limit of development shall meet the minimum required side yard setback within the zoning district.
    - c. The rear yard setback between the rear of two (2) units shall be twice the minimum rear yard setback of the zoning district. The distance from the rear of the unit to the limits of the development shall meet the minimum rear yard setback of the zoning district.
  2. *Multiple-family units.* Multiple-family units shall meet the standards of the Multiple-Family Residential District (MFRD).
  3. The relocation of boundaries as defined in Section 148 of the Michigan Condominium Act, shall conform to all setback requirements of this section, of the district in which the project is located, shall be submitted to the planning commission for review and approval, and these requirements shall be made a part of the bylaws and recorded as part of the master deed.
- G. *Common Elements.* After construction of a condominium unit, the undeveloped area of a unit shall become a common element.
- H. *Encroachment.* A condominium project shall not be constructed in a manner that intentionally creates an encroachment.

- I. *Subdivision of Unit Sites.* Subdivision of condominium unit sites is permitted following planning commission review and approval, contingent upon the submission of an amended master deed to determine the effect of the subdivision on the conditions of zoning or development plan approval, and shall be made as part of the bylaws and recorded as part of the master deed.
- J. *Conformance with Subdivision Regulations.* All condominium project plans shall conform to the plan preparation requirements, design layout, and improvements standards as established within this Ordinance or with the city's Code of Ordinances.
- K. *Water and Waste Water.* The condominium project shall comply with and meet all federal, state, county, and city standards for a fresh water system and waste water disposal.
- L. *Expansion and Conversion.* Prior to expansion or conversion of a condominium project to additional land and new phases, it must be reviewed and approved by the planning commission.
- M. *Master Deed.* The project developer shall furnish the city with one (1) copy of the proposed consolidated master deed, one (1) copy of the bylaws, and two (2) copies of the proposed plans. The proposed plans shall be reviewed for compliance with this Ordinance and the city's Code of Ordinances and to insure that an assessment mechanism has been included to guarantee adequate maintenance of common elements.
- N. *As-Built Plans and Occupancy.* Submission of an as-built plan of a condominium unit is required prior to occupancy. The building inspector may allow occupancy of the project before all improvements required are installed provided that an escrow is submitted to the city clerk, sufficient in amount and type to provide for the installation of improvements before the expiration of the temporary occupancy permit without expense to the city. The amount and form of the escrow shall be determined by the city council. Fees for these reviews may be established from time to time by the city council.
- O. *Final By-Laws, Consolidated Master Deed, and Site Plan.* Upon approval of the development, the applicant shall furnish the city a copy of the by-laws and consolidated master deed. The development plan shall be provided on a mylar sheet of at least twenty-four (24) inches by thirty-six (36) inches.
- P. *Compliance With Other Statutes and Ordinances.* All condominium projects shall comply with pertinent federal, state, and local laws, statutes, and ordinances.
- Q. *Site Condominium Review and Approval Procedures (Step I Review).* Application for review and approval of a site condominium subdivision shall be in accordance with the following procedures:
  - 1. Prior to the formal application for a site condominium development, the developer shall meet with the planning commission. The purpose of this meeting is to inform the planning commission of the applicant's intent to initiate a site condominium project. On or before this

meeting, the applicant shall submit the following to the building inspector, who shall distribute is to all planning commission members, the city manager, and the city engineer or consultant.

- a. A sketch drawn to scale, indicating the general location and configuration of the property to be developed; the alignment of streets and building sites; and the relationship of the proposed project to adjacent streets and neighboring properties.
    - b. A statement regarding the provision of sewer service and water supply.
  2. During the preliminary discussion meeting, the planning commission, based on the information available to it, shall inform the applicant of the following:
    - a. General requirements of this section and other applicable provisions of this Ordinance and the Subdivision Regulation Ordinance.
    - b. Planned or anticipated sites of parks and recreation areas and other public uses.
    - c. Utility system capabilities.
    - d. Planned or anticipated public improvements, including streets, utility extensions, and the like.
    - e. Street plans and potential problems relative to the natural features of the area, including, but not limited to floodplains, soil conditions, topography, and groundwater tables.
    - f. Additional information which will assist the applicant in proceeding in a reasonable and sound manner toward the final approval of the site condominium project.
  3. This review is intended for information purposes only and does not constitute binding commitments on the part of the city. Neither do they imply tentative approval of any proposed site condominium project. Furthermore, such discussions shall not carry the authority to proceed with construction or to sell or transfer property.
  4. Following preliminary review, the applicant shall submit the site condominium subdivision plans to the following agencies for their approval:
    - a. Michigan Department of Natural Resources/Michigan Department of Environmental Quality.
    - b. Other appropriate state and county review and enforcement agencies having direct approval or permitting authority over all or part of the project's construction phases.
- R. *Site Condominium Review and Approval Procedures (Step II Review).*
1. An application for preliminary review of a site condominium subdivision project shall be made to the building inspector along with the appropriate fees as required by city council resolution. The application shall, at a minimum contain the following information:
    - a. Application for certificate of zoning compliance, which upon issuance, shall ensure that the project as proposed is capable of being developed in conformity with the standards and regulations applicable to the zoning district in which the project is located, subject to

the customary procedures applicable to city approvals of individual uses on individual building sites.

- b. A plan drawn at a scale of not more than one hundred (100) feet to the inch and shall include or be accompanied by the following information:
  - i. The name of the project, the name and address of the developer, the name, address, and seal of a registered surveyor or engineer preparing the plan; and a description of the property to be subdivided.
  - ii. A key map showing the location and position of the property and its relationship to surrounding streets and the surrounding area, including the existing zoning or abutting areas.
  - iii. North arrow, scale, contour interval, and legend when appropriate.
  - iv. Contour elevations adjusted to United States Geologic Service datum at not more than five (5) foot intervals.
  - v. Where appropriate, established floodplain contours and elevations adjusted to United States Geologic Service datum.
  - vi. The location of all existing streets, lots, plats, public utilities, drains, streams, or bodies of water on/or abutting the property.
  - vii. The lot lines, intended layout, and intended use of the entire property owned or represented by the developer. The following shall be included:
    - 1) Street and stub street right-of-way location, width, and curve radii.
    - 2) Proposed street names.
    - 3) Building site lines, site line dimensions to the nearest foot, site and block numbers, and building site areas to the nearest ten (10) square feet.
  - viii. The location and dimensions of all existing or proposed easements or open space reserves, including electrical and telephone easements.
  - ix. The locations and tentative size of proposed sanitary sewers, storm sewers and catch basins, water mains, culverts, bridges, ponding areas, ponds, lagoons, slips, waterways, lakes, bays, and canals.
  - x. Statements regarding:
    - 1) Intent to utilize private water or sewage facilities.
    - 2) Zoning and lot size requirements.
    - 3) Zoning requirements for front, side, and rear yards.
    - 4) Size and type of street in accord with the Eaton County Road Commission standards and/or City of Eaton Rapids Subdivision Regulations.
    - 5) Intent to install gas sidewalks, street lights, and shade trees.

6) Use of waterways, rivers, streams, lakes, or ponds.

xi. The location of all general and limited common elements.

xii. The use and occupancy restrictions and maintenance provisions for all general and limited common elements as will be contained in the master deed.

Street and stub street right-of-way location, width and curve radii.

Proposed street names.

Building site lines, site line dimensions to the nearest foot, site and block numbers, and building site areas to the nearest ten (10) square feet.

- c. Proof that the applicant is the owner of the property or has the legal or financial interest in the property such as a purchase agreement.
  - d. The name, address, and phone number of the owner(s) of record, if different from that of the applicant.
  - e. The legal description, address and tax parcel number of the property.
  - f. Project description, including number of structures, dwelling units, square feet of building sites, open spaces, and estimated inhabitants, phasing, etc.
  - g. Gross and net size of the parcel in acres.
  - h. Written comments and/or approvals from the above list of agencies resulting from their review of the site condominium subdivision plans, as applicable.
  - i. A copy of the proposed deed restrictions or covenants for the site condominium subdivision.
  - j. A copy of any preliminary agreements which may be required before final plan approval is granted.
  - k. A copy of the proposed master deed of the project and the supportive information which is intended to be recorded with the Register of Deeds as required by state law.
2. The applicant shall provide at least twelve (12) copies of the preliminary site condominium project plan and additional copies if deemed necessary by the Building Inspector. The plans at the time of their submittal shall contain the information required for preliminary site condominium plan as required by this Ordinance.
3. The application and plans shall be submitted at least thirty (30) days before the next regularly scheduled meeting of the planning commission.
4. Upon receipt of the preliminary site condominium project plans, the building inspector shall forward one copy to each member of the planning commission, and the city engineer or consultant, for consideration at the next regularly scheduled meeting of the planning commission.

5. The building inspector shall notify by mail, all the members of the planning commission that a meeting will take place at a specified time concerning the property proposed for the site condominium project. At this or a subsequent meeting, a public hearing shall be held. Notice of said hearing shall be given at least fifteen (15) days prior to the hearing by one (1) publication in a newspaper of general circulation in the city and by notice by mail to each public utility company within the geographical sections or divisions of the city affected by the proposed development. Notices of said hearing shall also be sent, not less than fifteen (15) days prior to the date fixed therefor, by mail to the applicant and to all property owners within three hundred (300) feet of the subject property. For structures containing four (4) or more dwelling units owned or leased by different individuals, partnerships, businesses, or organizations, notice shall be given to the manager or owner who shall be requested to post the notice at the primary entrance to the structure. The building inspector shall also give such notice of the meeting as required by the Open Meetings Act.

In reviewing the preliminary plan, the planning commission shall give particular attention to all information required to accompany the submission, in particular the deed restrictions and covenants in an effort to determine that they are adequate to ensure ultimate completion of the project in accordance to the proposed plan. If the preliminary plan meets the requirements of this Ordinance and all other applicable local, state, county, and federal regulations, the planning commission shall grant it preliminary approval. The planning commission shall forward one (1) copy of the preliminary plan along with a notation indicating preliminary approval and any recommendation to the city council for its review and approval.

If the plan does not meet the requirements of this Ordinance, the planning commission shall:

- a. Recommend denial of the preliminary plan, setting forth the reasons in writing; or
- b. Recommend granting of preliminary plan approval contingent upon completion of the revisions as noted.

The planning commission shall forward the planning commission's recommendations to the city council.

**S.** *City Council Step II Review and Approval of Preliminary Plan.* After receipt of the preliminary plan and recommendation from the planning commission, the city council shall consider the preliminary plan at its next meeting, or within thirty (30) days from the date of receipt of the same from the planning commission.

1. The city council shall consider the preliminary plan along with the recommendations from the planning commission. If the plan meets the preliminary plan requirements of this Ordinance, the council shall grant Step II preliminary plan approval and the applicant shall be so notified.



Step II approval shall give the applicant the following rights for a two-year period from the date of approval:

- a. That the general terms and conditions under which Step II approval was granted will not be changed by the city.
  - b. That the building site sizes, orientation, and street layout have been approved.
2. If the preliminary plan substantially meets the requirements of this Ordinance, the city council may grant tentative approval of Step II. This approval shall be conditioned upon the submission of such changes, revisions or additional material as is determined to be necessary to complete Step II. Upon the submission of such changes, revisions, or additional material to the city council, the preliminary plan shall be granted unconditional Step II approval and the applicant shall be so notified.
3. If the preliminary plan cannot meet the requirements of this Ordinance, the city council shall deny Step II approval and shall notify the applicant along with the reasons for denial.
- T. *Requirement of Financial Guarantee.* In lieu of completion of all public improvements prior to approval of the final plan, the city council may require the developer to provide a financial guarantee of performance in one or a combination of the following arrangements for those requirements which are over and beyond the requirements of any public agency other than the city, responsible for the administration, operation, and maintenance of the applicable public improvement. Completion of improvements shall be required prior to the issuance of occupancy permits for any dwelling or business establishment.
  1. Cash deposit, certified check, irrevocable letter of credit:
    - a. A cash deposit, certified check, or irrevocable letter of credit shall accrue to the respective public agency responsible for administering the construction, operation, or maintenance of the specific public improvement. These deposits shall be made with the treasurer of the respective unit of government of which the public agency is a part, or deposited with a responsible escrow agent, or trust company subject to the approval of the respective governmental body.
    - b. The dollar value of the cash deposit, certified check, or irrevocable letter of credit shall be equal to the total estimated cost of construction of the specified public improvement as determined by the city engineer.
    - c. The escrow time for the cash deposit, certified check, or irrevocable letter of credit shall be for a period to be specified by the respective public agency responsible for administering the construction, operation, or maintenance of the specific public improvement.
    - d. In the case of either cash deposit or certified check, an agreement between the respective public agency and the developer may provide for progressive payments out of the cash deposit or reduction of the certified check to the extent of the estimated cost of the

completed portion of the public improvement as determined by the city engineer and in accordance with the public agency responsible for administering the specific public improvement.

2. Penalty for failure to complete the construction of a public improvement. In the event the developer shall, in any case, fail to satisfactorily complete the required construction of public improvements within such period of time as required by the conditions of the guarantee for the completion of public improvements, the city council may declare the developer to be in default and require that all the improvement(s) be installed regardless of the extent of the building development at the time the developer is declared to be in default. The city council may obtain sums necessary for the cost and expense of such installation by appropriating the amounts necessary to complete the project from the cash deposit, certified check, or irrevocable letter of credit. Nothing contained herein shall prohibit the city from the pursuit of any other remedies which may be available for breach of agreement and/or for damages including requests for actual attorney fees and costs.

- U. *Effect of Step II Approval.* Approval of a Step II preliminary plan by the city council shall serve as conditional authorization to proceed with the project, including the sale and occupancy of individual building sites on the basis of condominium ownership and the construction of required improvements to the land in conformity with approved project plans.

Step II preliminary plan approval shall not serve as the direct authorization for construction of buildings on individual building sites within the development. Prior to building construction, individual uses shall be subject to the customary provisions of the specific zoning district that the subject property is located in, the schedule of regulations, and any general or special requirements applicable to the individual use as outlined or referenced in the general standards and exceptions portion of this Ordinance or any other applicable requirements of this Ordinance.

#### V. *Final Plan Approval.*

1. Within two (2) years from the date of Step II approval of the preliminary plan, the applicant shall prepare and submit the necessary copies of the final site condominium plan to the city clerk along with a completed application form and any fee established by the city council, at least two (2) weeks prior to the next regularly scheduled council meeting. The applicant shall also submit the following:
  - a. Two (2) copies of as-built plans of all required public improvements which shall be reviewed by the city engineer or consultant, for compliance with applicable city ordinances.
  - b. A copy of all final agreements and the master deed which is to be recorded with the Eaton County Register of Deeds.
  - c.



Letters of approval from all applicable agencies or utilities, stating that improvement have been properly installed and inspected, and inspection fees paid, or that performance guarantees have been submitted for uncompleted improvements.

2. If all submissions are found acceptable, the city clerk shall submit the same to the city council at its next regular meeting for approval.
3. The city council shall approve or reject said final plan based upon the plans and other material submitted and the recommendation of the city engineer or consultant and shall notify the applicant in writing.
4. If the final plan is rejected, the city clerk shall notify the applicant stating the reasons for denial.
5. All provisions of the site condominium project plans which are approved by the city council must be incorporated, as approved in the master deed for the condominium project. A copy of the master deed as filed with the Eaton County Register of Deeds for recording must be provided to the city clerk within ten (10) days after such filing with the county.

subdivided.

(2) The health department, within 30 days after receipt of the preliminary plat, shall approve it, approve it subject to conditions, or reject all or any portion of the proposed subdivision that is not suitable. If the preliminary plat is approved, the health department shall note its approval on the copy to be returned to the proprietor. If all or any portion of the preliminary plat is approved subject to conditions or is rejected, the health department shall give its reasons for rejection and requirements for approval in writing to the proprietor, the governing body, and each of the other officers and agencies to which the proprietor was required to submit the preliminary plat under sections 113 to 115 and 117 to 119.

**History:** 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1969, Act 308, Imd. Eff. Aug. 14, 1969;—Am. 2004, Act 525, Eff. July 1, 2005.

**Popular name:** Plat Act

**Popular name:** Subdivision Control

#### **560.119 Preliminary plat; submission to county plat board and public utilities.**

Sec. 119. The proprietor shall submit 2 copies of the preliminary plat to the county plat board and to the public utilities serving the area for informational purposes.

**History:** 1967, Act 288, Eff. Jan. 1, 1968.

**Popular name:** Plat Act

**Popular name:** Subdivision Control

#### **560.120 Final approval; proprietor's rights and duties; procedure; time period; extension.**

Sec. 120.

(1) After the preliminary plat is approved or is approved subject to conditions pursuant to sections 113 to 119, the proprietor shall do all of the following:

(a) Submit to the clerk of the governing body of the municipality a list of all authorities required by sections 113 to 119 to review the preliminary plat, certifying that the list shows all authorities as required by sections 113 to 119.

(b) Submit all written approvals to the clerk of the governing body.

(2) The governing body of the municipality, after receipt of the necessary approved copies of the preliminary plat, shall do all of the following:

(a) Consider and review the preliminary plat at its next meeting, or within 20 days from the date of submission, and approve it if the proprietor has met all conditions laid down by the municipality for approval of the preliminary plat.

(b) Instruct the clerk to promptly notify the proprietor of approval or rejection in writing and, if rejected, to give the reasons.

(c) Instruct the clerk to note all proceedings in the minutes of the meeting which minutes shall be open for inspection.

(3) Final approval of the preliminary plat under this section confers upon the proprietor for a period of 2 years from date of approval the conditional right that the general terms and conditions under which preliminary plat approval was granted will not be changed. The 2-year period may be extended if applied for by the proprietor and granted by the governing body in writing. Written notice of the extension shall be sent by the governing body to the other approving authorities.

**History:** 1967, Act 288, Eff. Jan. 1, 1968;—Am. 1969, Act 308, Imd. Eff. Aug. 14, 1969;—Am. 2004, Act 525, Eff. July 1, 2005.

**Popular name:** Plat Act

**Popular name:** Subdivision Control

### **SURVEYS**

#### **560.125 Survey requirements; monuments.**

Sec. 125. (1) For every subdivision of land there shall be a survey complying with the requirements of this section and section 126.

(2) Monuments shall be located in the ground and made according to the following requirements, but it is not intended or required that monuments be placed within the traveled portion of a street to mark angles in the boundary of the subdivision if the angle points can be readily reestablished by reference to monuments along the sidelines of the streets.

(3) All monuments used shall be made of solid iron or steel bars at least 1/2 inch in diameter and 36 inches long and completely encased in concrete at least 4 inches in diameter.

(4) Monuments shall be located in the ground at all angles in the boundaries of the subdivision; at the intersection lines of streets and at the intersection of the lines of streets with the boundaries of the plat and at