



Planning Commission

October 6, 2025

7:00 p.m. City Hall

1. Call Meeting to Order
2. Roll Call
3. Approval of Agenda
4. Approval of September 2, 2025, Regular meeting minutes
5. Public Hearing
 - a. 109 E. Elizabeth – Conditional Use
6. Old Business – Short term rental ordinance discussion
7. New Business – none
8. Public comments
9. Correspondence – none
10. Reports
 - a. Building Official
 - b. ZBA
 - c. Planning Commissioners
11. Adjournment

City of Eaton Rapids

Planning Commission

Meeting Minutes, September 2, 2025

- 1. **Call to Order:** Chair Vanek called the meeting to order at 7:00 pm.
- 2. **Roll Call:**

NAME	PRESENT	ABSENT	NAME	PRESENT	ABSENT
Chair Vanek	X		Com Hiltz	X	
Vice Chair Baker	X		Com Wicker		X
Secretary Tanner	X		Com Davis	X	
Com Wegner		X	Com Millington		X
Com Jobse	X				

Commissioners Wicker, Wegner and Millington were all excused. Also present were Building Official Hummel and Financial Specialist Leigh Tyler.

- 3. **Approval of the Agenda:**

Commissioner Hiltz moved to approve the agenda and Commissioner Tanner seconded. Motion carried to approve the agenda as presented.

- 4. **Approval of the August 4, 2025 Planning Commission Meeting minutes:**

Commissioner Hiltz moved to approve the August 4th Minutes and Commissioner Tanner seconded. Motion carried to approve the minutes as presented.

- 5. **Approval of the August 18th (Special) Meeting minutes:**

Vice Chair Baker moved to approve the August 18th Special Meeting Minutes and Commissioner Hiltz seconded. Motion carried to approve the minutes as presented.

- 6. **Old Business - None**

- 7. **Public Hearing / Land Division Ordinance Amendment:** Public Hearing was opened at 7:02 pm. Building Inspector Hummel came to the podium. He stated that at the last meeting we talked about the Land Division Ordinance. As of now, all land divisions have to come through the Planning Commission and then be recommended to Council. We are proposing that simple Lot Line Adjustments get handled administratively. Secretary Tanner asked if there would be oversight in the event that there is a new Building Inspector. Building Inspector Hummel stated that our new Community Development Director, Jake Forquer will be working with the Planning Commission and the Zoning Board of Appeals and together with a checklist, this will create the oversight that is needed. Chairman Vanek expressed his approval for these changes and stated that it will give the Planning Commission more time for other projects. Commissioners Tanner and Baker also expressed their support. Commissioner Davis moved that we recommend approval to City Council and land

divisions or lot line adjustments be removed as the decision is not an ordinance. For the land division, the Planning Commission can be the final approval body. For the lot line adjustment, if the adjustment meets the requirements of the zoning ordinance, this can be approved by the zoning administrator and the assessor. Definitions for Land Division and Lot Line Adjustment will be added to the ordinance. Commissioner Tanner seconded the Motion and the Motion carried with all Commissioners voting Aye.

8. **New Business** – Short Term Rental Ordinance discussion: Building Inspector Hummel came to the podium to offer insight. He stated that the Michigan Court of Appeals has defined Short Term Rentals as follows: Short Term Rentals do not constitute residential use. This is based on the Court's interpretation of what constitutes "residential use or "residential purpose". According to the Court, a place is considered residential if it is a place where someone lives and has a permanent presence, regardless of whether they are physically present (See attached document for more from the Michigan Court of Appeals). Building official Hummel also went over ordinances from different municipalities (See attached documents). Building Inspector Hummel presents a zoning map of the City of Eaton Rapids to the Commissioners. He let the commission know that we currently allow Bed & Breakfasts and Tourist Homes as a conditional use in our Traditional Residential District and our Commercial Business District. He stated that we will not be voting on anything this evening and this was just a discussion time. Chair Vanek stated that the commission should hold work sessions in the next month or so discuss this. Commissioner Hiltz moved that we close the discussion and Commissioner Davis seconded. The motion passed with all Aye votes.

9. **Public Comment:**

Councilman Steele came to the podium to recommend that the commissioners put together their own ideas for our ordinance and bring them to a meeting to "brainstorm" He gave the commission KUDOS for their knowledge and great recommendations.

10. **Reports:**

Building Inspector – Building Inspector Hummel has hired a new plumbing inspector. Taco Bell is still in the planning stages with their pitched roof plan. LAFUCU wants to rearrange their drive thru but site plan approval can be done administratively.

Zoning Board of Appeals – No Report

Planning Commission – Chairman Vanek states that the Planning Commission does have the power to determine the business hours of a business in the city

Vice Chair Baker moved that we adjourn the meeting and Commissioner Davis seconded. Motion carried with all commissioners voting Aye. The meeting was adjourned at 8:28 pm.

Minutes Recorded by:

Leigh Tyler / Financial Specialist

City of Eaton Rapids

Enclosures: Michigan Court of Appeals Short Term Rental definition, Various sample ordinances from other municipalities

Planning Commission Communication

TO: Planning Commission

FROM: LeRoy Hummel, Building/Zoning Official

DATE: October 6, 2025

SUBJECT: The Commission will review 2 items this month, one will be a public hearing for conditional use and continuing discussion on a proposed short-term rental ordinance.

1. **Conditional Use 109 E. Elizabeth** – Lake and Land Boat and RV Storage is requesting to use the west 7,500 square feet (total building 15,029 sq. ft.) of 109 E. Elizabeth for indoor boat and RV storage. The letter states that the business could potentially utilize the entire building. When considering the conditional use, the commission should verify if it is for the entire building or just the west portion. The drawing supplied and the letter indicate other uses in the east half of the building.

The ordinance allows commercial vehicle storage and garages as a principal use in the General Business District (GBD); it does not specify that they must be in a building. We are using the conditional use consideration section 11.30 J other uses not specifically stated or implied but are similar to the principal uses for this consideration. The definition of a commercial vehicle specifically states that recreational vehicles are not included. Please see the attached ordinance for GBD and the definitions for commercial vehicles and recreational vehicles.

This is a building that is not being used to its potential currently. You should also stipulate if outdoor storage will be allowed and if you allow it what area of the parcel it will be allowed on. The use of the building for storage would not be intrusive on the residential district to the north and east of the property as it would create minimal noise and traffic.

2. **Short Term Rental Ordinance** – At the September meeting short term rental discussion was held and the decision was to bring it back to the October meeting for additional consideration. The commission should consider if they would be an allowed use either as a principal or conditional use and which districts to allow them in. I could not find another short-term ordinance within Eaton County.

Please contact us if you cannot attend.

If you have any questions, please contact me at 517.237.3799, 517.604.0732 cell or at lhummel@cityofeatonrapids.gov.



CONDITIONAL USE APPLICATION

Application Fee: \$300.00	Application Dated: <u>9/8/25</u>
Applicant/Owner Name (please print): <u>LAKE & LAND BOAT & RV STORAGE / MICHAEL CARPUCCI</u>	
Applicant/Owners Phone Number: <u>517 231 8351</u>	Applicant/Owners Email Address: <u>ENC@LLC.COM</u>
Applicant/Owner's Street Address: <u>109 E. ELIZABETH ST EATON RAPIDS</u>	Address for Proposed Conditional Use: <u>109 E. ELIZABETH ST EATON RAPIDS</u>
Parcel No.: <u>300-068-6001-070-00</u>	Current Zoning of App. Subject Property: <u>GB</u>
1. Type of Conditional Use Requested: <p style="text-align: center; font-size: 1.2em;">See letter</p>	
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.	
3. I HEREBY DEPOSE THAT ALL OF THE INFORMATION PROVIDED IN THIS APPLICATION AND ANY ATTACHMENT SUBMITTED HERewith ARE TRUE AND CORECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.	
Applicant/Owners Signature: <u>[Signature]</u>	Dated: <u>9/8/25</u>
FOR USE BY CITY EMPLOYEES ONLY	
Date Received: <u>SEP 08 2025</u>	Date Paid: <u>SEP 08 2025</u>

Article X1 General Business District (GBD)
 Section 11.30 Conditional Uses
 M.

Other commercial uses not specifically stated or implied else where.
 use of the building for indoor boat & RV Storage



Conditional Use Requested,

We are looking to utilize our 15,029 square-foot warehouse as an indoor Boat and RV Storage Facility located at 109 E. Elizabeth St. Eaton Rapids, MI 48827.

The building is cut directly in half with a brick firewall. We are currently looking to utilize 50% (7,500 sq ft) of the building this calendar year and potentially utilize the entire building depending on expansion.

We would be using approximately 1000 ft.² of current office space to operate Lake & Land Boat & RV Storage, as well our new building company RM Buildings LLC.

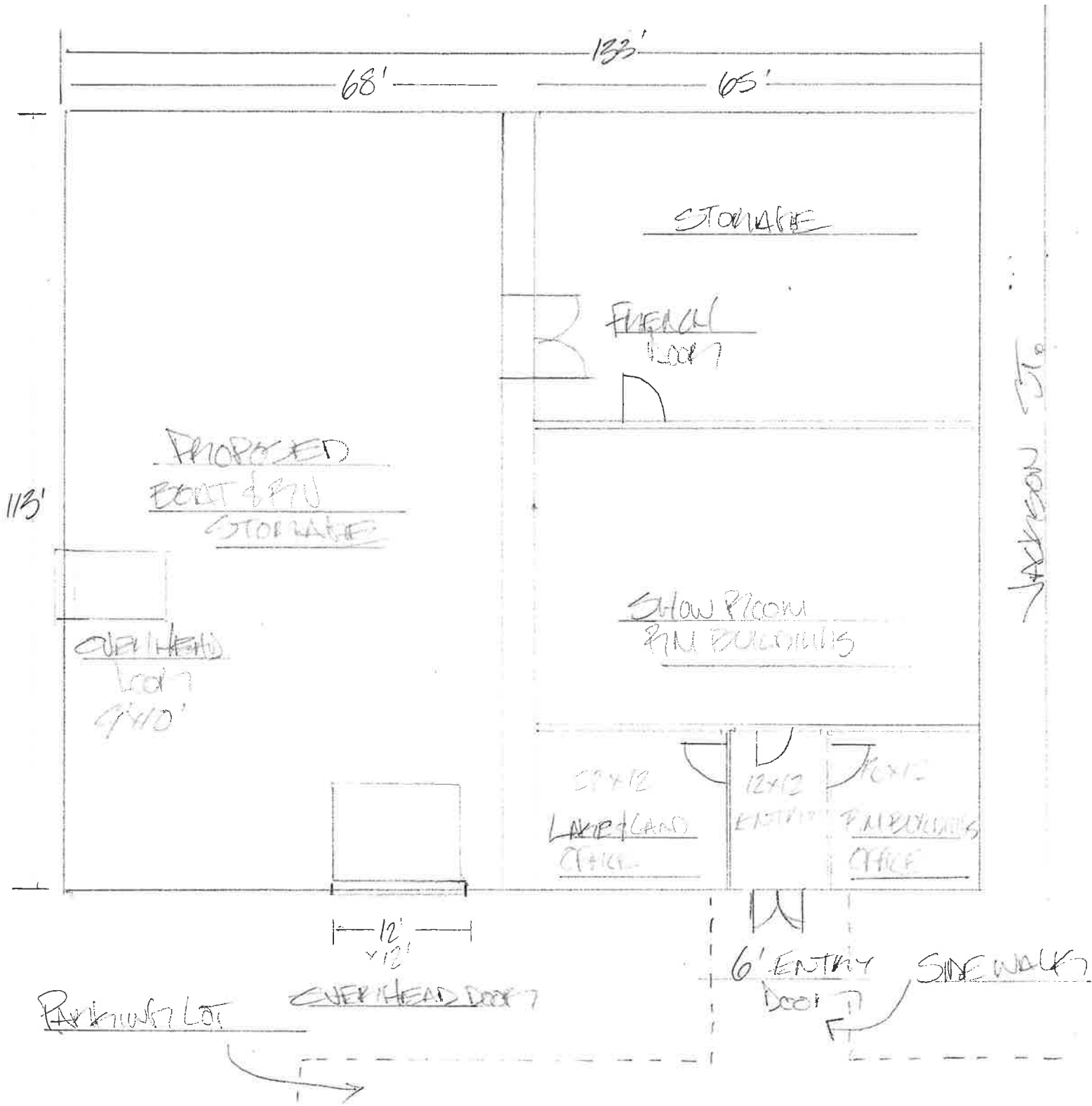
Potential planning for the future would be to potentially use 5000 ft.² as a business incubator space.

Thank you for the consideration. I may be reached at 517-231-8351 for any questions or at Lakeandlandboatandrstorage@gmail.com

Michael Carducci



109 E. ELIZABETH ST EATON RAPIDS 48827





ARTICLE XI. - GENERAL BUSINESS DISTRICT (GBD)**Sec. 11.10. - Purpose.**

The purpose of this district is to permit a wide range of business, retail, service, and entertainment uses. It is further the intent of this district to encourage uses that serve the needs of customers who are most likely to arrive in personal vehicles. As such these uses are generally located near major streets and away from concentrations of single-family residences.

Further objectives of this Article include:

- A. To provide space for automobile-oriented commercial uses.
- B. To provide adequate and appropriate separation and/or buffering of general business uses and residential or less intensive commercial areas.

Sec. 11.20. - 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. Adult foster care group homes and congregate facilities.
- B. Automobile, truck, motorcycle, trailer, recreational vehicle or boat, dealerships, either new or used.
- C. Automobile wash facilities.
- D. Automotive service centers/stations including those combined with convenience stores of no more than one thousand (1,000) square feet, or automotive fueling stations and automotive fueling stations, automotive service centers/stations, without accessory or combined convenience stores.
- E. Business establishments that perform services on premises such as, but not limited to: banks, savings and loans, and credit unions; brokerage houses; insurance, real estate, and travel agencies; and automated teller machine facilities.
- F. Bus passenger stations
- G. Business service establishments, such as office machine and typewriter repair, printing, blueprinting.
- H. Catering establishments.
- I. Child care center, day care center, or child caring institution.
- J. Churches and other facilities normally incidental thereto.
- K. Plant nurseries, greenhouses, and garden centers less than one thousand (1,000) square feet.

- L. Data processing and computing centers.
- M. Business schools, colleges, or private schools operated for a profit.
- N. Commercial vehicle storage and garages.
- O. Mortuaries or funeral homes.
- P. Medical offices.
- Q. Offices of an executive, administrative, or professional nature.
- R. Personal fitness centers.
- S. Personal service establishments within a completely enclosed building, including but not limited to such uses as: repair shops (watches, radio, television, shoes, etc.), tailor and dressmaking shops, beauty parlors and styling salons, barber shops, photographic studios, film processing outlets, copy centers, interior decorators, and postal centers.
- T. 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, civic centers, and storage yards for the same.
- U. Restaurants.
- V. Retail businesses which supply commodities on the premise, such as but not limited to groceries, meats, fruits and produce, dairy products, baked goods, candies, specialty wines, and other specialty food products; and stores selling drugs, dry goods, flowers, clothing, notions, books and magazines, toys, sporting goods, shoes, tobacco products, musical instruments, recorded music, video rentals and sales, gifts and souvenirs, antiques, furniture, and hardware.
- W. Retail sales in which both a workshop and retail outlet or showroom are required, such as but not limited to, plumbing, electrician, interior decorating, upholstering, printing, photographic-reproducing, radio, and home appliance and similar establishments of similar character, subject to the provision that not more than eighty (80) per cent of the total useable floor area of the establishment shall be used for servicing, repairing, or processing activities and further provided that such retail outlet or showroom activities shall be provided in that portion of the building where the customer entrance is located.
- X. Studios for art, music, dance, or theatrical instruction.
- Y. Hotels, motels, tourist homes, and bed and breakfast inns.
- Z. Lumber yards and building supply centers.
- AA. Public utility buildings and substations, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, including storage yards for the same.
- BB. Veterinary clinics and animal grooming.
- CC.

Theaters, cinemas, assembly halls, community centers, or similar places of assembly, when conducted completely within enclosed buildings.

- DD. Accessory structures and uses customarily incidental to the above permitted uses, including drive-through service windows.
- EE. Mixed-use buildings with business, commercial, or service uses on the ground floor and residential, office or warehouse uses on upper floors.

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

Sec. 11.30. - 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. Plant nurseries, green houses, and garden centers exceeding one thousand (1,000) square feet of floor area.
- B. Bars, taverns, pubs and brewpubs, cocktail lounges, and nightclubs.
- C. Indoor recreational centers such as, but not limited to, bowling alleys, roller and ice skating rinks, pool or billiard halls, pinball and mechanical device arcades, and other general indoor recreation facilities.
- D. Mobile home, excavation equipment, machinery, or farm implement sales, either new or used.
- E. Open air business uses, such as but not limited to, retail sales of trees, shrubs, plants, flowers, topsoil, fruit, vegetables, and miniature golf.
- F. Hospitals.
- G. Self-storage units.
- H. Tattoo parlors and body piercing establishments.
 - I. Wholesale stores of less than sixty thousand (60,000) square feet of gross floor area.
 - J. Other commercial uses not specifically stated or implied elsewhere which, in the determination of the planning commission, are similar to the principal permitted uses provided herein, and in harmony with the character of the district and the purpose and intent of this article and the Eaton Rapids Comprehensive Plan.
- K. Pawnbrokers.
- L. Second hand dealers.
- M. Other commercial uses not specifically stated or implied elsewhere which, in the determination of the planning commission, are similar to the principal permitted uses provided herein, and in harmony with the character of the district and the purposes and intent of this article and the Eaton Rapids Comprehensive Plan.

(Ord. No. 2004-41, 5-24-04; Ord. No. 2009-5, 7-27-09)

Sec. 11.40. - Development Requirements.

The following requirements shall be met within a General Business District (GBD):

- A. Development plan approval for all permitted and conditional uses as specified in Article XVI of this Ordinance.
- B. Off-street parking, loading, and access management standards for all uses as 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, yard regulations, building mass, and yard regulations as specified in Article XVII of this Ordinance.
- E. Landscaping requirements as specified in Article XX of this Ordinance.
- F. Design, architectural, and building material standards as specified in Article XIX of this Ordinance.

Tourist home or bed and breakfast inn: A use which is subordinate to its principal use as a private residence, owned by the operator and within which the operator resides while offering sleeping accommodations and serving breakfast at no extra charge to transient tenants for not more than fourteen (14) consecutive days.

Townhouses: A residential structure or group of structures, each of which contains three (3) or more attached single-family dwelling units with individual rear yards and/or front yards designed as an integral part of each single-family dwelling unit.

Truck gardening: Use of a lot or parcel for the raising of produce, that is customarily a small scale operation and often sold directly to the public on the premises.

Truck storage: An area used for the temporary storage of private trucks or trucks for hire.

Truck terminal: A structure to which goods, except raw or unprocessed agricultural products, natural minerals, or other resources, are delivered for immediate distribution to other parts of the city or to be amalgamated for delivery in larger units to other points in the metropolitan area; or for distribution or amalgamation involving transfer to other modes of transportation.

Use: The purpose for which land or premises, or a building thereon, is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Use, conditional: A use of land which is permitted within a particular zoning district only if the applicable standards have been met and a site plan has been approved.

Use, illegal nonconforming: An existing use of land and/or structures, on the effective date of this Ordinance considered a nuisance, damaging to abutting property or hazardous to persons. Such use shall be discontinued and abated.

Use, legal nonconforming: An existing use of land and/or structures on the effective date of this Ordinance, which does not conform to the uses specified as permitted in a district, but which is not construed by this Ordinance to be a nuisance, damaging to abutting property, or hazardous to persons.

Variance: A modification of the literal provisions of the ordinance granted when strict enforcement of the ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted. The characteristics of a variance are: (a) undue hardship, (b) unique circumstances, and (c) peculiar to the specific property involved.

Vehicle, commercial: Any one of a class of vehicles and similar vehicles whose characteristics are described below which have or require commercial license plates and have a gross vehicle weight in excess of six thousand five hundred (6,500) pounds. Any commercially licensed vehicle which does not possess the characteristics of a commercial vehicle, as defined below, shall not be subject to the restrictions applying to commercial vehicles:

Eaton Rapids, MI



Municode

1. *Semi-trailer:* A trailer unit which is customarily attached to and propelled by a truck tractor vehicle, but which can be detached to stand alone. Semi-trailer shall include trailers with flat beds, stake beds, roll-off beds, tanker bodies, dump bodies, and full or partial box-type enclosures, any of which above units exceed twelve (12) feet in height.

2. *Truck tractor:* A commercial vehicle which is capable of attaching to and propelling semi-trailers, mobile homes, modular homes, boat trailers and similar units, and which is not customarily operated without an attached trailer.
3. *Other commercial vehicles:* Any truck or motor vehicle with a cab and chassis with a stake, rack, dump body, wrecker body, tanker body, or any other body, the mounted height of which exceeds the height of the cab roof more than eight (8) inches. This shall include any vehicle which has a commercial license plate and which is designed to accommodate a body length in excess of nine (9) feet. Commercial vehicles do not include motor homes or recreational vehicles, but does include construction equipment such as backhoes, power shovels, bulldozers, earth moving equipment, and similar vehicles.

Veterinary clinic or hospital: An office of a duly licensed veterinary professional where diagnosis, treatment, surgery, and other veterinary care for domestic animals, horses, and livestock, and all other activities and rooming of animals are conducted within a completely enclosed building, except that a veterinary hospital may include outdoor boarding incidental to treatment.

Wall, solid masonry decorative: A wall made of stone or brick that is permanent in nature and is set upon footings or a foundation, and used for the purpose of screening one land use from the view of another.

Wall, parapet: An extension of a building wall above the roof which may serve to screen roof mounted mechanical equipment.

Wall, retaining: A permanent solid barrier of brick, stone, or other opaque material intended to enclose an area. For the purpose of this Ordinance, all supporting members, posts, stringers, braces, pilasters, or other construction features of a retaining wall shall be located and placed on the inside of the wall away from public view. Moreover, all retaining walls shall be constructed and/or painted, tinted, or colored in one color only for their exterior surface, and no sign or advertising shall be placed, affixed, painted, or designed thereon.

Warehouse, miniature or self-storage: A building or group of buildings in a controlled access and/or fenced compound that contains varying sizes of individualized, compartmentalized, and controlled-access stalls or lockers for the storage of customers goods or wares.

Waste receptacle station: Any exterior space which is not a principal use for containers, structures, or other receptacles intended for temporary storage of solid waste materials.

as gymnasiums and fitness centers, bowling alleys, indoor soccer facilities, racquetball and tennis clubs, ice and roller skating rinks, curling centers, and firearms ranges.

Eaton Rapids, MI
Municode Codification

Recreation establishment, outdoor: A privately owned facility designed and equipped for the conduct of sports, amusements, or leisure time activities and other customary recreational activities outdoors (outside of an enclosed building) and operated as a business and open for use by the public for a fee such as tennis clubs, archery ranges, golf courses, miniature golf courses, golf driving ranges, water slides, batting cages and machines, skateboarding parks, and children's amusement parks.

Recreation land: Any public or private owned lot or parcel that is utilized for recreation activities such as, but not limited to camping, swimming, picnicking, hiking, nature study, hunting, boating, and fishing.

Recreational vehicle: Recreational vehicles shall include the following:

1. *Travel trailer:* A portable vehicle on a chassis, which is designed to be used as a temporary dwelling during travel, recreational, and vacation uses, and which may be identified as a travel trailer by the manufacturer. Travel trailers generally contain sanitary, water, and electrical facilities.
2. *Pickup camper:* A structure designed to be mounted on a pickup or truck chassis with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreational, and vacation uses.
3. *Motor home (trailer coach):* A self-propelled motorized recreational vehicle intended, designed, used, or constructed, and duly licensable for travel and/or recreational usage, and for temporary human habitation, sleeping, and/or cooking and eating for one (1) or more persons, mounted upon a chassis with wheels and capable of being moved from place to place under its own power. Motor home generally contain sanitary, water, and electrical facilities.
4. *Folding tent trailer:* A folding structure, mounted on wheels and designed for travel and vacation use.
5. *Boats and boat trailers:* Boats, floats, rafts, canoes, plus the normal equipment to transport them on the highway.
6. *Other recreational equipment:* Snowmobiles, all terrain vehicles, special terrain vehicles, utility trailers, plus normal equipment to transport them on the highway.

Resource recovery facility: A lot or parcel of land with or without buildings, upon which used materials are deposited, separated, and processed for shipment for eventual reuse in new products, except that such facility shall not include the storage of inoperable automobiles and/or their parts.

Restaurant, carry-out: Any establishment whose principal business is the sale of foods, frozen desserts, or beverages to the customer in a ready-to-consume state, and whose design or method of operation includes both of the following characteristics: