



Village of Lake Isabella

PLANNING COMMISSION REGULAR MEETING AGENDA

JUNE 11, 2024

7:00 PM

I. CALL TO ORDER

II. ROLL CALL OF MEMBERS:

Amy Ervin, Chair
Robert Laraway

Mike Simon, Vice-Chair
Leo Wickert

Farzard Tafreshi, Secretary
Jeff Grey
Jason Benzinger

III. AGENDA APPROVAL

IV. APPROVAL OF MINUTES

V. REPORTS & PRESENTATIONS

1. Chairperson
2. Village Manager
3. Village Council

VI. PUBLIC HEARING(S):

1. Special Land Use 2024-01; 1039/1040 Essex Drive
2. Proposed Ordinance 2024-02; Group Day Care Homes

VII. PUBLIC COMMENT

VIII. EXISTING BUSINESS: NONE

X. NEW BUSINESS: NONE

XI. PUBLIC COMMENTS

XII. MEMBER COMMENTS

XIII. ANNOUNCEMENTS

XIV. ADJOURNMENT



Village of Lake Isabella

Planning Commission May 14, 2024 Regular Meeting Minutes

Planning Commission Chairperson Ervin called the meeting to order at 7 p.m. Those present recited the pledge of allegiance.

Members Present: Benzinger, Grey, Laraway, Simon, Wickert, & Ervin

Members Absent: Tafreshi

Agenda Approval:

Simon made a motion, seconded by Wickert, to approve the meeting agenda as presented.

VOICE VOTE: MOTION CARRIED 6-0-0.

Approval of Minutes:

Wickert made a motion, seconded by Simon, to approve the February 13, 2024, meeting minutes. VOICE VOTE: MOTION CARRIED 6-0-0.

Chairperson's Report:

Ervin welcomed the newest member, Jason Benzinger, to the Planning Commission.

Village Manager Report:

Manager Wolff discussed several items with the Planning Commission. He updated the Commission on the grant application submitted to MSHDA to conduct a housing target market analysis. He reported that the Village Council should have a proposal to approve at its meeting in June. He also discussed the schedule for the resurfacing of Clubhouse Drive. He stated that the project is slated for after Labor Day.

There was a discussion concerning fencing after the Village Hall was contacted about the possibility of a front yard fence on Duquesa Drive. It was discussed that fencing is currently regulated in a one-size-fits-all manner, and it may be appropriate to revisit the topic to see if having district-specific regulations would better serve the community.

Updates were also provided on additional issues, including, a proposed amendment to the Village's blight code and replacing the geothermal system at the Village Hall.

Village Council Report:

Laraway reported public comments at the previous two meetings that focused on concerns over loose dogs. He also discussed legislation that would pre-empt local control over short-term rentals.

Public Hearings: None

Public Comments: None

Existing Business: None

New Business:

1. Group Day Care – Zoning Text Amendment:

Wolff presented proposed text amendments to the Planning Commission that would amend the Family Day Care Home and Group Day Care Home definitions. The

amendments would also amend the development regulations for both types of day care homes, and permit Group Day Care homes in the LR-1 and LR-2 Districts as a Special Land Use.

Wolff reported that there are two family day care homes in the Village with a wait list for space. He shared that he also spoke with the local licensing official for the state of Michigan who shared that there is a shortage of childcare options in the area for infants and toddlers.

Grey asked about the age and number of children allowed by each type of license.

There was a discussion on the approval process that Group Day Care Homes would need to pass as a Special Land Use. Wolff shared that as a Special Land Use, the approving authority is the Planning Commission, which must hold a public hearing and notify all property owners and occupants within three hundred feet of the site.

The isolation distance between Group Day Care homes was discussed; Wolff shared that one of the proposed amendments would set a buffer of 500 feet between Group Day Care homes.

There was additional discussion that the Village's regulation of Home Occupations allows for up to two employees to be onsite at any time, which is consistent with the licensing standards for Group Day Cares.

Grey made a motion, seconded by Simon, to schedule a public hearing for the June meeting and to invite the operators of the two-day care and licensing official from the State of Michigan to attend and discuss this situation in greater detail. VOICE VOTE: MOTION CARRIED 6-0-0.

2. Master Plan Survey Results:

The Planning began its review of the survey results from the Master Plan survey. The discussion focused on the results, indicating that the community's most desired new businesses are a Car Wash, Urgent Care, and Coffee Shop. Additional review and discussion are planned for the next meeting.

Public Comments: None

Member Comments:

- Grey discussed the auction on May 18th at the Weidman Community Building to benefit the Nottawa-Sherman Townships Fire Department.

Adjournment:

With no additional business, the meeting was adjourned at 8:08 p.m.

Approved: _____

Carol Shannon, Village Clerk



Village of Lake Isabella

PLANNING COMMISSION
JUNE 11, 2024

VILLAGE MANAGER'S REPORT

- Year to date permit activity is attached.
- Year to date Code Enforcement activity is attached.
- I reached out to the Sheriff again in an attempt to get 9-1-1 Calls for service data. They still have not resolved this with the vendor, but have added it to the biweekly meeting with them in an attempt to it resolved in the near future. April patrol stats are also attached.
- The Clubhouse Resurfacing Project has been scheduled right after Labor Day. In discussing the schedule with Central Asphalt, the plan is to be done before I have to leave for the MML Convention on Tuesday, September 10th.
- LandUse USA will submit a formal proposal for the June Council meeting to be funded from our MSDHA Grant.
- The Council will be holding a public hearing on the adoption of the 2024-25 Budget at its meeting this month.
- Fireworks are scheduled for dusk on July 6th.
- Attached is the proposed Capital Improvement Plan that is included in the 2024-25 Budget.



Permit #	Name/Business	Property Address	Purpose	Date
1	Dorothy Smith	1027 Vallado	New Home	2/14/2024
2	DTE	1083 Bundy Drive	Utility Service	1/24/2024
3	Amber Hoover	1005 Circle Drive	Family Daycare Home	1/26/2024
4	Brad Nock	1031 Cordoba	Shed	1/12/2024
5	Ben Burrows	1014 Birdie	Fence	2/28/2024
6	DTE	1008 Soutport	Utility Service	2/28/2024
7	Robert & Dianne Grewette	1006 Channel Drive	New Home	2/29/2024
8	DTE	1027 Vallado	Utility Service	3/7/2024
9	Doug Morton	1043 Carmen	House	Pending
10	Consumers Energy	1028 Fairway Drive	Utility Service	3/25/2024
11	Larry Wilson	1004 Trebuh	Deck	4/1/2024
12	Janet Grisdale	1050 Crown Point	Replacing Entire Deck	4/3/2024
13	Richard Hamilton	1015 Kent Street	Fence	4/5/2024
14	Rick Patton	1246/1248 Clubhouse	New Home	4/12/2024
15	Casey Hyatt	983 Duquesa	Shed Removal/Replacement	4/10/2024
16	Dominic Finnerty	8896 W. River Rd	New Home	4/12/2024
17	Patrick Kinnicutt	1050 Clubhouse	ROW	4/15/2024
18	Kristilyn Holshoe	1053 Duquesa	Deck Replacement	4/16/2024
19	Monica Hunter	1019 Cantabrian	Shed	4/18/2024
20	DTE	4012 Castle Lane	Utility Service	4/26/2024
21	linda Rau	1066 Castle	Deck	5/2/2024
22	Jason Recker	1008 North View	New Home	5/2/2024
23	Consumers Energy	1019 peninsula	Utility Service	5/10/2024
24	Mark Schofield	1084 El Camino Grande	Deck Addition	5/20/2024
SPL-24-001	Swritz Michael	1040 Essez	Garage Across the Street	Pending
25	Ken Schutt	1089 Isabella Vista	Deck	5/23/2024
26	Consumers Energy	1248 Clubhouse	Utility Service	5/24/2024
27	Dale Schlarf	1033 Cordoba Lane	ROW	5/24/2024
28	Todd Buchanan	1007 Avion	ROW	5/24/2024
29	Anthony Mankel	1240 Queens Way	Fence	6/3/2024
30	David Allan	810 N Coldwater	Shed	6/4/2024
31				
32				
33				
34				
35				

Enforcement Cases By Month/Category

06/07/2024

1/1

VILLAGE OF LAKE ISABELLA - 2024

Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Filed	Closed
Animal	0	0	1	2	2	0	0	0	0	0	0	0	5	2
Blight	12	19	11	16	61	4	0	0	0	0	0	0	123	108
Noise	0	0	1	0	0	0	0	0	0	0	0	0	1	1
Trailer/RV	1	0	3	1	0	0	0	0	0	0	0	0	5	3
Vehicle	3	4	6	2	1	0	0	0	0	0	0	0	16	16
Zoning	0	3	1	0	0	1	0	0	0	0	0	0	5	3

2025-26 Budget – 6 Year Capital Improvement Plan

Introduction

A Capital Improvement Plan (CIP) is a multi-year schedule of municipal improvements. The Capital Improvement Plan is a multi-year schedule of all proposed significant capital improvement projects, including cost estimates, methods of financing, and annual estimated operating and maintenance costs for the proposed projects. Each year the Capital Improvement Plan is revised for another fiscal year and is adopted as part of the Village's annual budget process. In order to be a useful tool for budgeting and sound financial management, the plan must be updated annually.

Items with a cost greater than \$5,000, and with a useful life of greater than two years are capitalized. A listing of such assets is maintained with the related depreciation and is included in the annual audit. A group of like items costing individually less than this threshold may be grouped together and reported as a capitalized asset if, in the judgment of the Village Manager, it would be in the best interest to capitalize the group of items as the value together is significant to the Village of Lake Isabella. Factors that are taken into consideration when planning the CIP include investments to address a risk to public safety or health, addressing a deteriorated facility or asset, scheduled replacement, improvements to operating efficiency, coordination of services, protection of resources, or equitable provision of services, or new or expanded facilities.

A practical and ongoing Capital Improvement Plan is beneficial to elected officials, staff, and the general public. Among the benefits that can be received from an adopted and well-maintained Capital Improvement Plan are:

1. Coordination of the community's physical planning with its fiscal planning capabilities;
2. Ensuring that public improvements are undertaken in the most desirable order of priority;
3. Assisting in the stabilization of tax rate over a period of years;
4. Providing adequate time for planning and engineering of proposed projects;
5. Permitting municipal construction activities to be coordinated with those of other public agencies within the community.

These benefits are important to the Village of Lake Isabella community. Capital improvement planning allows officials and citizens to set priorities for capital expenditures and accrue a maximum physical benefit for minimum capital expenditure through an orderly process of project development, scheduling, and implementation.

2024-2025 PROPOSED Capital Improvement Plan Included in Budget Draft		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Replace 8'2" plow for 2019 F250 with 9'2"	\$8,500	Major Street Fund
Desktop Replacement – Village Manager	\$2,000	General Fund
Technology Upgrades (Server Hard Drivers, Replace 1 Desktop, 2 Laptops)	\$3,500	General Fund
Non-motorized Project	\$15,000	Major Street Fund
Clubhouse Drive Mill & Fill Coldwater Road to Parkview Drive	\$375,000	Major Street Fund & MDOT Cat B Grant
Replace the New Holland Loader/Tractor and New Boom Mower	\$56,500	Local Street Fund ½ Major Street Fund ½
DPW Chainsaw & Tool Upgrades	\$2,000	Local Street Fund ½ Major Street Fund ½
Standby Natural Gas Generator – DPW Building	\$10,000	General Fund
Local Street Engineering Study	\$30,000	Local Street Fund




2025-2026 PROPOSED Capital Improvement Plan Included in Budget Draft		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Technology Upgrades (Replace 1 Desktop, 2 laptops)	\$3,250	General Fund
Replace signage at the Village Hall	\$10,000	General Fund
Queens Way 1.5" Overlay & Shoulder – Drew Road to Duquesa Drive	\$300,000	Major Street Fund & MDOT Cat B Grant
Double Chip Seal Bonanza Lane & Clubhouse Drive (River Road to Parkview Drive)	\$125,000	Major Street Fund

2026-2027 PROPOSED Capital Improvement Plan		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Technology Upgrades (2 Desktops)	\$3,500	General Fund
Repainting Village Hall	\$10,000	General Fund
Replace DPW Property Sign (Digital Sign)	\$20,000	General Fund
Replace 2010 F250	\$40,000	Major Street Fund
Bundy Drive Resurfacing (Local Intersection of Queens Way to Essex)	\$60,000	Major Street Fund

2027-2028 PROPOSED Capital Improvement Plan		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Technology Upgrades (2 Laptops)	\$1,500	General Fund
Village Hall Carpet	\$12,000	General Fund

2028-2029 PROPOSED Capital Improvement Plan		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Technology Upgrades (2 Laptops)	\$1,500	General Fund
Heavy Duty Zero Turn Mower	\$12,000	Local Street Fund ½ Major Street Fund ½

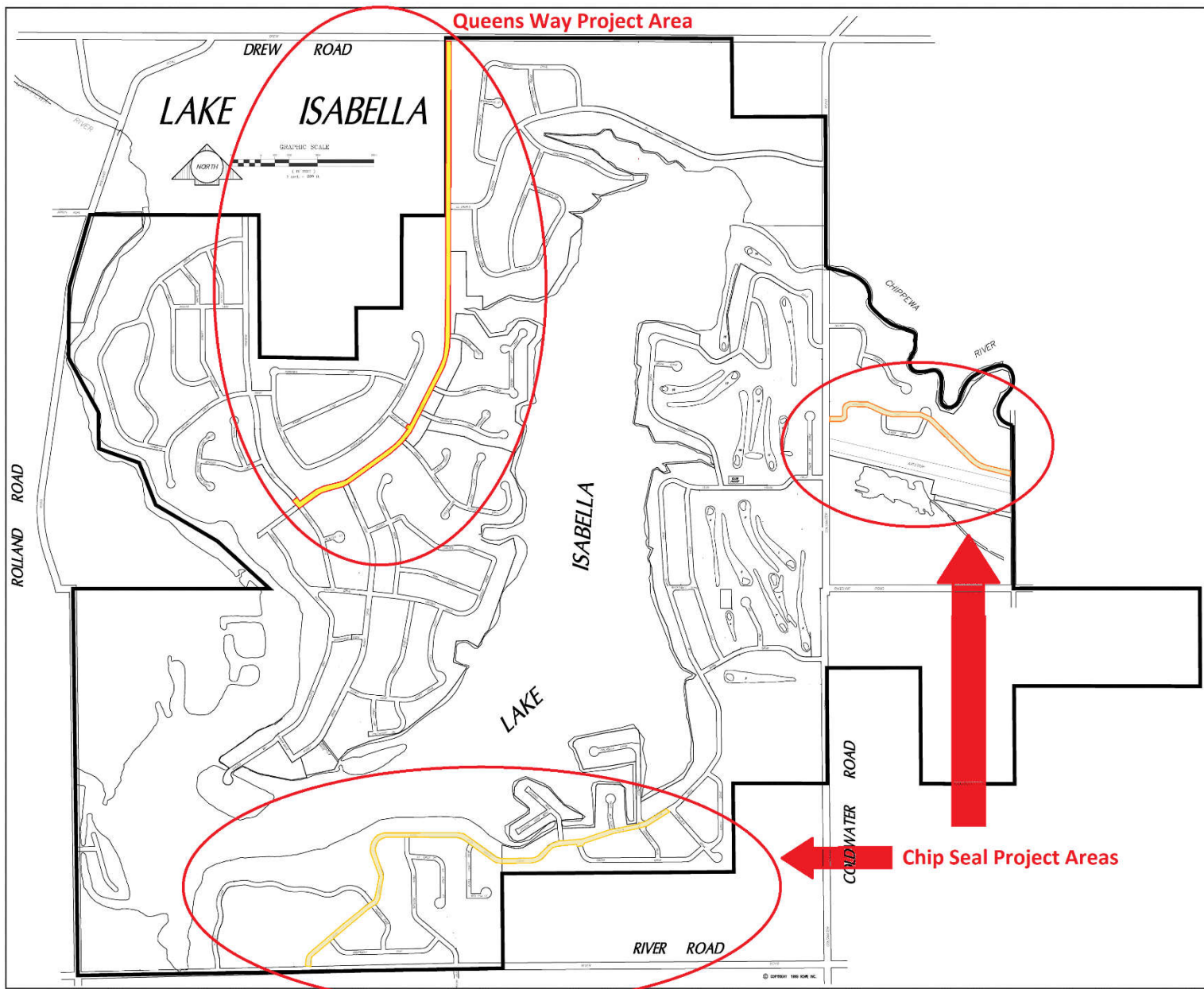
2029-2030 PROPOSED Capital Improvement Plan		
Project	Cost	Funding Source
Annual Repaint of Traffic Markings	\$11,000	Major Street Fund
Technology Upgrades (1 Laptop, 1 Desktop)	\$3,000	General Fund
Code Enforcement Vehicle Replacement	\$30,000	General Fund

Technology	Item	In-Service Date	Scheduled Replacement
 DESKTOP	HP ML30 Gen9 (Network Server)	11/1/2018	2024-25
	Dell Optiplex 790 (Code Enforcement)	7/1/2019	2024-25
	HP Z1 (Village Manager)	1/1/2020	2025-26
	Synology DS720 (Network Storage)	7/1/2021	2025-26
	HP Z1 (Deputy Village Manager)	4/1/2022	2026-27
	HP Z240 (Council Table)	12/1/2022	2026-27
 LAPTOP	HP Elitebook 840 (DPW Building)	3/1/2019	2024-25
	Dell Latitude E5450 (Laraway)	2/1/2020	2024-25
	HP Elitebook 840 (Torgerson)	4/1/2021	2025-26
	Surface Book (Front Counter)	9/1/2022	2025-26
	Dell Latitude 7480 (Shannon)	5/1/2023	2027-28
	HP Business (Manley)	3/1/2023	2027-28
	Lenovo Slim 3151 (Barringer)	3/1/2024	2028-29
	Lenovo Slim 3151 (Lahti)	3/1/2024	2028-29
	TBA (Wolff)	7/1/2024	2029-30
 SOFTWARE	Item	Annual Service Fee	
	BS&A Cash Receipting (Cloud)	\$1,145	
	BS&A Tax (Cloud)	\$2,320	
	BS&A Community Development (Cloud)	\$1,675	
	BS&A General Ledger & Accounts Payable (Cloud)	\$2,270	
	Adobe Indesign & Adobe Stock Images (Newsletters)	\$700	
	LexisNexus (Code Enforcement Data)	\$1,275	
	Loomly (Social Media Scheduling)	\$320	
	SurveyMonkey	\$325	
	Pivitol Weather	\$100	
	Revize (Village Website)	\$1,800	
	Zoom (Live Streaming Meetings)	\$850	

Fleet & Heavy Equipment

Item	Year	Miles/Hours	Scheduled Replacement
Ford F250 (DPW)	2010	77,250	2026-27
Ford F250 (DPW)	2019	28,300	2033-34
Ford Explorer Utility (Code Enforcement)	2016	55,500	2029-30
New Holland T1510 Tractor/Loader	2007	2,250	2024-25
John Deere 310J Backhoe	2011	3,365	2030+
Scag Patriot Zero Turn Mower	2022	160	2028-29







Village of Lake Isabella

Village Council
May 21, 2023
Regular Meeting
1010 Clubhouse Drive
Lake Isabella, MI 48893

Village President Torgerson called the meeting to order at 7:00 p.m. Those in attendance recited the Pledge of Allegiance.

Members Present: Barringer, Cueny, Lahit, Laraway, Peavey, Shannon, & Torgerson

Members Excused: None

Agenda Approval:

The meeting Agenda was accepted without objection or modification.

Consent Agenda:

A motion was made by Lahti, seconded by Shannon, to approve the Consent Agenda, which included the financial reports and the minutes of both Village Council Meetings in May.

ROLL CALL VOTE:

YEAS: Barringer, Cueny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

Reports:

- Village President: None

- Village Manager:

Village Manager Wolff reviewed the Manager's Report included in the meeting packet. He discussed the public hearings scheduled for the Planning Commission's June 11th meeting. He also discussed researching the necessary steps to create an Animal Control Officer position. He asked to have the Village's legal counsel review the subject and report back to the Council.

He also discussed concerns with changes being implemented by Isabella County for the summer tax bills. Wolff reported that Isabella County has always prepared summer tax bills and expects each local unit to do this themselves. He stated that he has made multiple attempts to contact the contracted entity overseeing the Equalization Department with concerns and questions but has not received a reply.

Wolff also discussed the Clubhouse Drive resurfacing plan schedule, with Central Asphalt planning to do the project immediately after Labor Day.

- Sherman Township:

Sherman Township Trustee Grey discussed work on the Township's cemeteries and a permanent Christmas Tree at the Township Park. He also discussed the establishment of a formal credit card policy for transactions. He also discussed camera upgrades at the Township Hall and Library.

Public Hearings:

1. Ordinance 2024-01; Blight Code Amendment:

Shannon stated that she was shocked at the condition of the tree clearing on Pueblo Pass and feels that if allowed to remain in that state, it would negatively impact property values.

Torgerson shared his concern that it could become a fire hazard and a threat to nearby homes. He stated that allowing the Pueblo Pass property to remain in its current state would set a poor example.

Barringer discussed the increasing number of complaints about the condition of the property on Pueblo Pass and that similar language to what is being proposed was once in the ordinance.

Peavey stated that he shares the concerns of the other members but has a problem with adopting language after the fact.

Laraway and Cueny also shared their concern about adopting a police power ordinance to address a situation that has already occurred.

Torgerson opened the public hearing at 7:52 p.m.

- Eliane Fox of Weidman asked if the property on Pueblo Pass was cleared due to any type of disease or pest issue.
- Jeff Grey of Pequena Drive spoke in favor of requiring site clean-up and restoration when there is logging or clearing activity.
- Kim Fox of Weidman asked what the restoration and clean-up standards would be if the ordinance were adopted.

Torgerson closed the public hearing at 8:01 p.m.

Shannon stated that one of the things that changed her mind about the need to adopt the ordinance was the impact that this type of activity could have on neighboring properties.

Lahti stated that he shares the concerns of members Peavey, Laraway, and Cueny, but due to the concerns of nearby residents about both the location on Pueblo Pass and the location on Siesta, he supports adopting the language.

Lahti made a motion, seconded by Barringer, to adopt Ordinance 2024-01. ROLL CALL VOTE:

YEAS: Barringer, Lahti, Shannon, & Torgerson

NAYS: Cueny, Laraway, & Peavy

MOTION CARRIED 4-3-0.

2. Resolution 2024-06; Confirmation of Special Assessment Roll, Broomfield Township Fire Protection Special Assessment District:

Torgerson opened the public hearing at 8:20 p.m.

Kim Fox of Weidman objected to the Special Assessment as his property was vacant.

Jeff Grey of Pequena Drive spoke in favor of the assessment. He also stated that the Sherman Township 1 Mill renewal is on the August primary election ballot.

Torgerson closed the public hearing at 8:25 p.m.

Shannon made a motion, seconded by Laraway, to adopt Resolution 2024-06. ROLL CALL VOTE:

YEAS: Barringer, Ceuny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

Public Comment: None

Existing Business:

1. Resolution 2024-04; Village Council Committees:

Barringer made a motion, seconded by Laraway, to adopt Resolution 2024-04, which created a Public Safety Committee. ROLL CALL VOTE:

YEAS: Barringer, Cueny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

Torgerson appointed Barringer, Lahit, and Cueny as the regular members of the Public Safety Committee and Peavey as an alternate member of the Public Safety Committee.

New Business:

1. Natural Gas Service & HVAC Bids:

Lahti made a motion, seconded by Cueny, to approve the natural gas installation contract from Consumers Energy in the amount of \$4,013.33. ROLL CALL VOTE:

YEAS: Barringer, Cueny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

The members discussed the bids from McGuire Heating & Cooling and Custom Heating & Plumbing. Torgerson stated that he has worked with both companies and would recommend Custom Heating & Cooling. Peavey and Laraway also stated that they have had good experiences with Custom Heating and Cooling.

Cueny made a motion, seconded by Laraway, to approve the bid from Custom Heating & Plumbing to install a Carrier furnace, central air conditioning unit, and water heater with a 15% contingency. ROLL CALL VOTE:

YEAS: Barringer, Cueny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

2. 2024 Road Patrol Millage Levy:

The Village Council discussed how to proceed with the dedicated millage for road patrols. At the time of the meeting, to the best of the Village's knowledge, the County is only planning to fund the service until the end of the calendar year and present a millage proposal on the November General Election ballot to fund a continuation of road patrols. The members discussed the implication of collecting a millage that may have to be refunded if the voters reject the November millage proposal.

Lahit made a motion, seconded by Barringer, to levy 0 Mills on the 2024 summer tax bills for the dedicated road patrol millage. ROLL CALL VOTE:

YEAS: Barringer, Ceuny, Lahit, Laraway, Peavey, Shannon, & Torgerson

NAYS: None.

MOTION CARRIED 7-0-0.

3. MDOT Category B Project & Special Meeting:

Wolff discussed two options for applying for a 2025 Category B project. The project he would like to seek funding for would install a stress-absorbing membrane interlayer (SAMI) FiberMat on Queens Way from Drew Road to Duquesa Drive and then cap the street with a one-and-one-half-inch overlay. He discussed the truck traffic that may impact this section of roadway from the dredging project, and adding extra strength to the roadway before that work begins would reduce the need for future maintenance.

The Council scheduled a Special Meeting for 8 a.m. on June 11th to finalize the 2025 Category B application.

4. Introduction of 2024-25 Budget & Capital Improvement Plan:

Wolff introduced the 2024-25 Budget & Capital Improvement Plan. He provided a brief overview of both. A meeting of the Finance Committee was scheduled for 9 a.m. on June 4th to review the budget and CIP.

Public Comments: None

Council Comments: None

Adjournment:

With no further business, the meeting was adjourned at 9:26 pm.

Approved: _____

Carol Shannon, Village Clerk

David K. Torgerson, Village President

VILLAGE OF LAKE ISABELLA
ISABELLA COUNTY
NOTICE OF PUBLIC HEARING

Proposed Special Land Use 2024-01

Notice is hereby given that the Planning Commission of the Village of Lake Isabella will hold a public hearing on Tuesday, June 11, 2024, as part of a Regular Meeting beginning at 7 p.m. local time. The purpose of this public hearing is to receive comments and questions on a proposed Special Land Use application. The location of the public hearing will be the Lake Isabella Village Hall, 1010 Clubhouse Drive, Lake Isabella, MI 48893.

The nature of the public hearing is to receive public comments and questions on Special Land Use Request 2024-01. This request is to construct a private single-story Accessory Structure with a footprint of 960 square feet. The proposed Accessory Structure will be located across the street and subordinate to the dwelling at 1039 Essex Drive (21-075-00-340-00). The location of the proposed accessory structure is also identified as parcel #21-075-00-459-00 (1040 Essex Drive), which is lot 459 of the recorded plat of Lake Isabella Plat #3.

Information may be obtained, including a copy of the application at the Village Hall at the above address between the hours of 8 a.m. to 4:30 p.m., Monday through Friday. Information may also be obtained by phone: (989) 644-8654, or email: office@lakeisabellami.org. Written comments may be submitted in advance of the public hearing to the Village Clerk at the address below or via email at office@lakeisabellami.org.

Carol Shannon
Village Clerk
1010 Clubhouse Drive
Lake Isabella, MI 48893
(989) 644-8654



Village of Lake Isabella

June 11, 2024
Planning Commission Meeting

Special Land Use 24-01 Staff Report

Location:	1039/1040 Essex Drive
Zoning District:	Lake Residential-1
Parcel Size & Shape:	Rectangular Lot
Existing Use:	Single-family dwelling and vacant lot.
Future Land Use:	Single-family residential
Adjacent Parcels (to SLU):	North – Vacant lot, and 1025 Kent Street East – Vacant lot, and 1034 Essex Drive South – Applicant’s Home, and garage for 1003 Southport West – Vacant lot, and 1044 Essex Drive
SLU Requested:	Single-story 960 square feet accessory structure

SUMMARY:

The Applicant is requesting approval to construct a single-story garage on the lot across the street from their dwelling. The proposed garage would have a footprint of 960 square feet.

LOCATION:

Lots 340 and 459 of Lake Isabella Plat #3. Platted in 1969 this area of the Village is located in Broomfield Township.



ORDINANCE CONSIDERATIONS:

Special Land Uses are considered a "discretionary decision" by the Michigan Zoning Enabling Act and allow the Planning Commission to impose reasonable conditions as part of an approval. This process allows the Planning Commission to exercise its judgment in approving or disapproving a particular activity based on the merits of the application, the expertise of individual Planning Commission members, and the input of nearby residents who are provided advanced notice of a Public Hearing on the application.

ORDINANCE DISCUSSION:

As the Zoning Administrator, I would offer the following observations and input on the various items that need review by the Planning Commission ([Zoning Administrator Comments in BLUE](#)).

GENERAL CONDITIONS APPLICABLE TO ALL SLUs:

1. Whether the proposed development is in general agreement with the adopted Village Master Plan. [Yes, in my opinion, the proposed SLU is in agreement with the Village's 2019 Master Plan. That plan refocused our attention away from potential commercial and industrial economic growth to residential growth and allowing people a greater ability to develop property when done in connection to residential use.](#)
2. Whether the density or use characteristics of the proposed development are detrimental to adjacent properties and land uses. [The proposed detached garage in my opinion is not detrimental to any adjacent or nearby properties.](#)
3. The special land use shall not be hazardous to adjacent property or involve uses, activities, materials, or equipment that will be detrimental to the health, safety, or welfare of persons or property due to traffic, noise, smoke, odor, fumes, or glare. Impacts on the natural environment shall be within acceptable limits in comparison to the effects that would result from other uses permitted by right in the zoning district. [The proposed storage use of the Accessory Structure should not pose any risks or hazards to adjacent properties regarding traffic, noise, smoke, odor, fumes, or glare.](#)
4. The special land use shall be adequately served by essential public facilities and services, or it shall be demonstrated that the person responsible for the proposed special use shall be able to continually provide adequate services and facilities deemed essential to the special use under consideration. [There should be no additional demand on public services or facilities if this SLU is approved.](#)
5. The special land use shall represent an improvement to the property under consideration and the surrounding area in general. [Again](#)
6. The special land use shall not place demands on public services and facilities above the current capacity. [There will be no additional demands on public services.](#)

MOTION CONSIDERATIONS:

After conducting a Public Hearing and receiving public comments, as well as discussing the request with the Applicant, the Planning Commission should issue a finding of fact as part of

a motion to either approve or deny the request. The Planning Commission can also vote to postpone action on the SLU if additional information is needed or substantial changes are requested. A motion to postpone would need to include what specific items the Planning Commission needs from the Applicant before further action will be taken.

Below are two appropriate examples of a finding of fact that the Planning Commission could use to either approve or deny the request at the close of the case.

Finding of Fact if Denied:

Based upon the documentation and other information submitted to the Planning Commission, public comment received by the Board during its meeting, visits to the site by individual Planning Commission Members, and knowledge and experience of the Planning Commission Members with land use within the Village, the Planning Commission adopts the following finding concerning the request for Special Land Use application 2024-01. That the Applicant has not shown that the proposed SLU meets the requirements of the ordinance and does not represent an improvement to the surrounding area in general for the following reason [add rationale here when making the motion].

Finding of Fact & Recommended Conditions if Approved:

Based upon the documentation and other information submitted to the Planning Commission, public comment received by the Planning Commission during its meeting, visits to the site by individual Planning Commission Members, and knowledge and experience of the Planning Commission Members with land use within the Village, the Planning Commission adopts the following findings and decision with respect to the request for Special Land Use 2024-01.

1. The proposed development is in general agreement with the adopted Village Master Plan.
2. The density or use characteristics of the proposed development are not detrimental to adjacent properties and land uses.
3. The special land use will not be hazardous to adjacent property or involve uses, activities, materials, or equipment that will be detrimental to the health, safety, or welfare of persons or property due to traffic, noise, smoke, odor, fumes, or glare.
4. The special land use shall be adequately served by existing essential public facilities and services.
5. [Additional Finding of Fact from the Planning Commission]
6. The approval of the Planning Commission is made with the following conditions and stipulations that shall apply to the Special Land Use and shall run with the land:
 - a. The use of the Accessory Structure shall be limited to the personal storage and use of the resident of 1039 Essex Drive and may not be used to operate a Home Occupation as defined in the zoning code or other business without seeking additional approvals from the Village.
 - b. Any exterior light fixtures on the Accessory Structure must be shielded with full cut-off fixtures, and all light must be directed downward so that the light source is obstructed from direct view from adjacent right-of-ways and residential uses.

- c. The Applicant is required to combine Lot 340 of Lake Isabella Plat 3, and Lot 459 of Lake Isabella Plat 3. Said lots shall not be decoupled unless approved by the Village of Lake Isabella.
- g. [Additional conditions wanted by the Planning Commission]

RECOMMENDATION:

After reviewing the application, it is my opinion that the application meets the requirements of the zoning code and should be approved by the Planning Commission with the conditions listed.

Additional Pictures






Village of Lake Isabella

Special Land Use Application

Applicant Information:			
Applicant: Michael Swirtz			
Mailing Address: 1039 Essex Dr	City: Lake Isabella	State: MI	Zip: 48893
Interest in Property (owner, tenant, option...): Owner			
Contact Person & Title: Michael Swirtz Owner and Chase Brown Builder			
Phone Number: 989-289-0955		Email: m_swirtz@hotmail.com	

Property Information:			
Property Address: 1040 Essex Dr. Lake Isabella MI 48893			Zoning District: LR-1
Parcel Number (Please also attach the Legal Description): 21-075-00-459-00		Parcel Size: 100x152x63x168	
Owner Name (If different than Applicant): Michael and Kathleen Swirtz			
Owner Mailing Address: 1039 Essex Dr	City: Lake Isabella	State: MI	Zip: 48893

Architect, Surveyor, or Engineer Responsible for Site Plan Preparation (if applicable):			
Name:		Firm:	
Mailing Address:	City:	State:	Zip:
Phone Number:		Email:	

Applicant Certification:	
By execution of this application, the person signing represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the undersigned represents that he/she is authorized and does hereby grant a right to entry to officials from the Village of Lake Isabella for the purpose of gathering information related to this application and verify compliance with the terms and conditions which may be imposed if approved.	
Signature: 	Date: 05/23/2024
Printed Name & Title: Michael Swirtz, Owner	

Owner Authorization:	
If the Applicant is anyone other than the property owner, the owner does hereby grant permission for the Applicant to act on his/her behalf. (This may also be submitted by a separate signed letter)	
Signature: _____	Date: _____

Project Description:

Please use this section, or attach additional pages, to describe the use or uses being proposed.

2 Car garage

General Conditions:

The following questions need to be answered in a submitted narrative (use letterhead if possible) to establish compliance with the general requirements for all the Special Land Use Permits:

1. Is the proposed special land use and development in general agreement with the adopted Master Plan?
2. Will the proposed special land use have density or use characteristics that are detrimental to adjacent properties and land uses?
3. Will the proposed special land use involve uses, activities, materials, or equipment which could be detrimental to the health, safety, or welfare of persons or property due to traffic, noise, smoke, odor, fumes or glare?
4. Will the proposed special land use produce noise, fumes, smoke, odor, or steam which are not contained within the structure where the source originates from?
5. Will the proposed special land use be adequately served by existing essential public facilities and services which shall not place demands on public services and facilities above current capacity? Or it shall be demonstrated that the person responsible for the proposed special use shall be able to continually provide adequate services and facilities deemed essential to the proposed special use under consideration.
6. Will the proposed special land use represent an improvement to the property under consideration and the surrounding area in general?
7. If applicable, does the proposed special use have appropriate and adequate trash removal and dumpster screening?
8. If applicable, does the septic permit granted by the Central Michigan District Health Department satisfy the proposed special land use?
9. Does the proposed special land use include the sale or consumption of alcoholic beverages on the property requiring a license from the State of Michigan?
10. Are there other entities that also need to review and approve your proposed project. This includes the Fire Department, Road Commission, Health Department, State of Michigan, or local law enforcement, if so, who? Also please attach copies of applicable permits from other jurisdictions.
11. If applicable, what are the requested hours of operation for the proposed special land use?
12. What type of equipment will be used onsite in conjunction with the proposed special land use?
13. What are the expected levels and types of vehicular traffic coming and going from the site due to the proposed special land use?
14. Are there any joint use agreements or easements which would be impacted or utilized by the proposed special land use? If so, please attach or describe.
15. Does the Zoning Ordinance place specific requirements on the proposed special land use? If yes please attach and address the additional requirements in either a narrative or on the required drawings?

Applications for Garages across the street from the dwelling need to only complete items;
2, 3, 4, 5, 6, 8, 10, & 12.

Application Materials:

- Application Fee
- Drawings & Illustrations (as applicable):
 - Existing Conditions
 - Floor Plan
 - Structure Elevations
 - Landscaping Plan
 - Sign Illustration
 - Lighting Plan
 - Survey
- Proof of Interest in Property (Title, Deed, Lease, Purchase Agreement, Option...)
- Copies of Pertinent Reports (Environmental Assessment, Market Study, Traffic Impact...)
- Copies of Required Permits (well, septic, soil erosion, Road Commission...)
- Stormwater Management Plan (if applicable)
- Site Plan Application (if applicable)
- Detached Garage Application (if applicable – Please refer to that application for required drawings)
- Deed Combination (if applicable)

Pre-Application Conference:

For projects requiring the submission of a Medium or Detailed Site Plan, a pre-application conference is required prior to submitting a completed Site Plan Application. The purpose of this meeting is for staff to assist with a preliminary review of the project and review any zoning requirements which may need to be addressed with the Applicant.

Pre-Application Conference Held On: _____

Notes:



1201 South Drive suite 220
Mt. Pleasant. MI 48858
Phone (989) 773-3411 Fax (989) 546-8557

May 23, 2024

Dear Sir or Madam,

This is in answer to the questions on the compliance with the general requirements for the Special Land Use Permit.

Question #:

2. The proposed special land use we will not have density or use characteristics that are detrimental to the adjacent property and land uses.
3. The proposed garage will not involve uses, activities, materials, or equipment that could be detrimental to the health, safety, or welfare of persons or property due to traffic, noise, smoke, odor, fumes, or glare
4. The proposed garage we will not produce noise, fumes, smoke, odor, or steam which are not contained within the structure where the source originates from.
5. The proposed garage will be adequately serviced by existing public facilities and services which she will not place demands on public services or facility above their current capacity.
6. The proposed garage will represent an improvement to the property under consideration and the surrounding general area.
8. The proposed garage will not have any water or require a septic system.
10. There are no other entities that we will need to review the proposed garage.
12. The only equipment that will be used on-site of the proposed garage are standard lawn maintenance equipment such as mowers, string trimmers, and leaf blowers, for the maintenance of the property.

Sincerely,

Michael A Swirtz MD




Village of
Lake Isabella

Detached Garage Zoning Application

Property Information:			
Property Address: 1040 Essex Dr. Lake Isabella MI 48893		Zoning District: LR-1	
Parcel Number: 21-075-00-459-00		Parcel Size: 100x152x63x168	
Plat*: Plat #3		Lot(s): 459	
Owner Name: Michael and Kathleen Swirtz			
Owner Mailing Address: 1039 Essex Dr		City: Lake Isabella	State: MI
Phone Number: 989-289-0955		Email: m_swirtz@hotmail.com	
If your parcel is equal to or greater than 1.5 acres and you are proposing to build larger than 1,300 square feet please complete:		Ground Floor Area of House & Attached Garage:	

Contractor Information:			
Contractor: CB Builder Inc		Representative: Chase Brown	
Mailing Address: 9664 S Vandecar Rd	City: Shepherd	State: MI	Zip: 48883
Phone Number: 989-621-6637	Email: Chase229@msn.com		

Property Owner Acknowledgements:
<p><i>*The property owner does hereby acknowledge that their property is located in a plat or other development that may have restrictive covenants which are outside of the Village's zoning regulations, and may require a separate and additional approval from a private association. When seeking a land-use approval from the Village, the applicant is responsible for any conflicts between the property-specific information (deed restrictions, restrictive covenants, building & use restrictions) and the proposed project. The Village of Lake Isabella does not enforce the various recorded private building & use restrictions which are associated with individual plats and developments in the community.</i></p> <p>It is strongly suggested that for any type of heavy equipment entering or exiting your location that you use plywood sheets to protect the edges of the surface of the roadway. Any damage done to the surface or edges of the roadway will be the responsibility of the Applicant to repair as directed by the Village of Lake Isabella Street Administrator.</p> <p>In the event that the house that the garage is subordinate to is removed, destroyed, decoupled from, or otherwise no longer maintains the required relationship on the same parcel as required by the Village's zoning code; the garage shall either be recoupled to a house in a conforming manner to the requirements of this Chapter or be removed.</p> <p>By execution of this application, the property owner represents that the information provided and the accompanying documentation is, to the best of his/her knowledge, true and accurate. In addition, the undersigned represents that he/she is authorized and does hereby grant a right to entry to officials from the Village of Lake Isabella for the purpose of gathering information related to this application and to verify compliance with the terms and conditions which may be imposed if approved.</p> <p>Signature: <u></u> Date: <u>05/23/2024</u></p>

Proposed Project:Proposed Garage Dimensions: 30 X 32 feet Square Footage: 960 sq ft

Location of Proposed Garage:

- ☐ Same lot as Primary Structure ☐ Adjacent lot to Primary Structure*
- ☒ Across Street from Primary Structure (Requires Special Land Use Approval)*

Proposed Garage Height (28' Maximum): 10 feet Roof Material**: Asphalt shingleType of Proposed Construction: ☒ Pole ☐ Stick ☐ Other: _____Floor Surface: concrete Depth of Eaves/Roof Overhang (2' Maximum): 24 inchSide Wall Height: 10 feet Garage Door Height(s): 8 feet

* This structure placement may require that you combine all impacted lots via deed restriction with the Village.

** The garage's roof material is not required to be the same as the house's roof material.

Design Compatibility Requirements:

Garages shall only be permitted after it has been demonstrated that the proposed project shares the same design elements and exterior color scheme that is coordinated, compatible, and matching with the color of the house that it will be accessory to.

	Requirement	House Has	Proposed Garage Has
Siding	Exterior material colors	grey vinyl siding	grey vinyl siding
	Color, material, orientation and board size of siding: (if applicable)	Horizontal 4 inch	Horizontal 4 inch
	Other exterior materials: (stone, brick, wood, vinyl...)		Brick Veneer
	In the LR-1 Zoning District the garage shall use the same materials as the exterior of the house, or compatible vinyl siding in the place of finishes such as brick, stone, or shake siding. If both structures will feature siding, the orientation of the boards shall be the same, exposed board face size shall be the same size or smaller. In all other Zoning Districts, the garage is not required to match materials, board size, or board orientation. Heavier materials such as brick or stone shall be located toward the base of the structure, and are encouraged to be used as wainscoting.		
Doors & Windows	Exterior trim color	Grey	Grey
	Entry Door Color	Brown	Brown
	Garage Door Color	Brown	Brown
	Type windows: (single-hung, Double-hung, slider, casement, fixed...)	Sliders and crank out	Double hung
Roof	Style of roof: (gable, cross-gable, hip, mansard, gambrel, shed, other...)	Gable	Gable
	Roof color	Green Shingle	Green Shingle
	The garage shall have either a gable roof, hip roof, saltbox roof, or the same style of roof as the house.		

Required Design Elements:

Garages are required to feature architectural and finish elements which add to the character of the building on each side of the structured based on the length of the side as shown below.

- If the garage has garage doors on more than one side, all sides with garage doors are required to have the same style of doors.
- All garage doors which are greater than eight feet (8') in height shall have a row of windows spanning across the door.
- Doors on detached garages shall be limited to a maximum height of ten feet (10'). One door may exceed this limit, but shall not exceed a maximum height of fourteen feet (14').
- Detached garages the feature more than three garage doors on a single side shall have at least one garage door recessed by at least four feet (4').
- Detached garages shall only be permitted after demonstrating that the proposed building meets this Chapter's design and architecture requirements. The design and features of such structures play a significant role in maintaining the image of a residential setting. Structures that incorporate features that reinforce the relationship between the garage and home enhance the character of the public appearance of the neighborhood. For this purpose, building facades that face a street or adjacent residentially zoned parcel shall incorporate architectural elements based on the size of the structure.

Please complete the table below to calculate required points:

Side	Required Points	Length	Points Required
Architectural points required, Garage Front (The front is the side with the largest number of bays/garage doors. If the Accessory Structure is placed on a waterfront lot and is placed within 100' of the ordinary High Water mark, that side shall also be considered a "front."):	1 for every 8 feet of linear façade.		(Length divided 8)
Architectural points required, side or rear if facing a street or adjacent residentially zoned property (If the distance from the side of the structure to the adjacent residentially zoned property or right-of-way is 100' or more, only 1 point is required.):	1 for every 16 feet of linear façade.		(Length divided 16)
Architectural points required, side or rear if <u>not</u> facing street or adjacent residentially zoned property.	1		1
Architectural points required, side or rear if facing property zoned OSR.	1		1

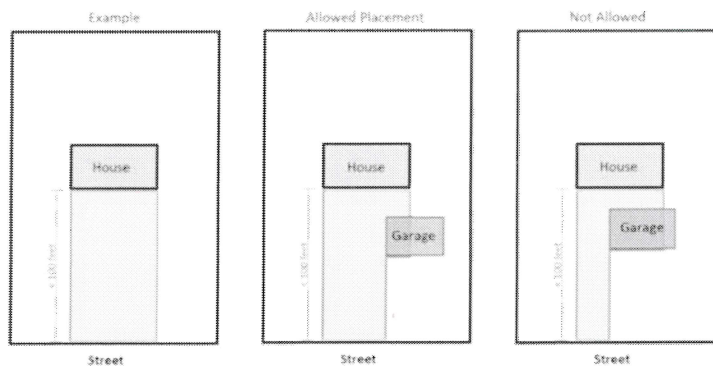
If the garage has sidewalls greater than twelve feet (12') in height, the required points per side shall be multiplied by a factor of 1.5.

For a list of items that result in points being scored towards meeting the minimum required finished, please see page 5 of this application.

Setbacks:

Parcel Type	Front/Street Yard Setback ⁽²⁾	Secondary Street Frontage	Ordinary High-Water Mark	Side Yard	Rear Yard
Non-Waterfront	District Setback	District Setback	NA	8'	20'
Waterfront	District Setback	District Setback	50'	8'	20' ⁽¹⁾
T-Lot	25'	NA	50'	8'	20' ⁽¹⁾

- (1) This setback only applies if the yard abutting the water would not normally be considered the rear yard.
- (2) When a garage is developed between the house and the Front/Street property line, if there are less than one hundred feet (100') from the front/street property line to the nearest point on the house, the garage may not be placed in a manner where it overlaps more than 50% of the façade of the house as shown below.



ADDITIONAL PLACEMENT REQUIREMENTS:

- Garages shall not be placed in the floodplain.
- Garages Structures shall not be placed in a platted easement.
- Garages are to be detached and set apart from the house which it is subordinate to and other buildings by at least ten feet (10')

Site Grading Conditions:

- Site grading shall meet the abutting property line elevations. To avoid runoff onto adjacent sites, side yard swales or other mitigation may be required during and after the development process if it is determined by the Village that runoff is occurring.
- Structures shall not be located as to interfere with the natural drainage pattern unless it can be demonstrated that the change in grade will adequately redirect the flow of surface water.
- When a new structure is constructed between existing structures or adjacent to an existing structure, the finished grade of the adjacent existing structures shall be considered in determining the appropriate finished grade of the new structure. The grading of the site around the new structures shall not result in additional runoff of surface water onto adjacent properties.
- For new development, no excavation or modifications to the existing grade of a site may occur until after a Zoning Permit has been issued for the new structure or use.

Plot Plan:

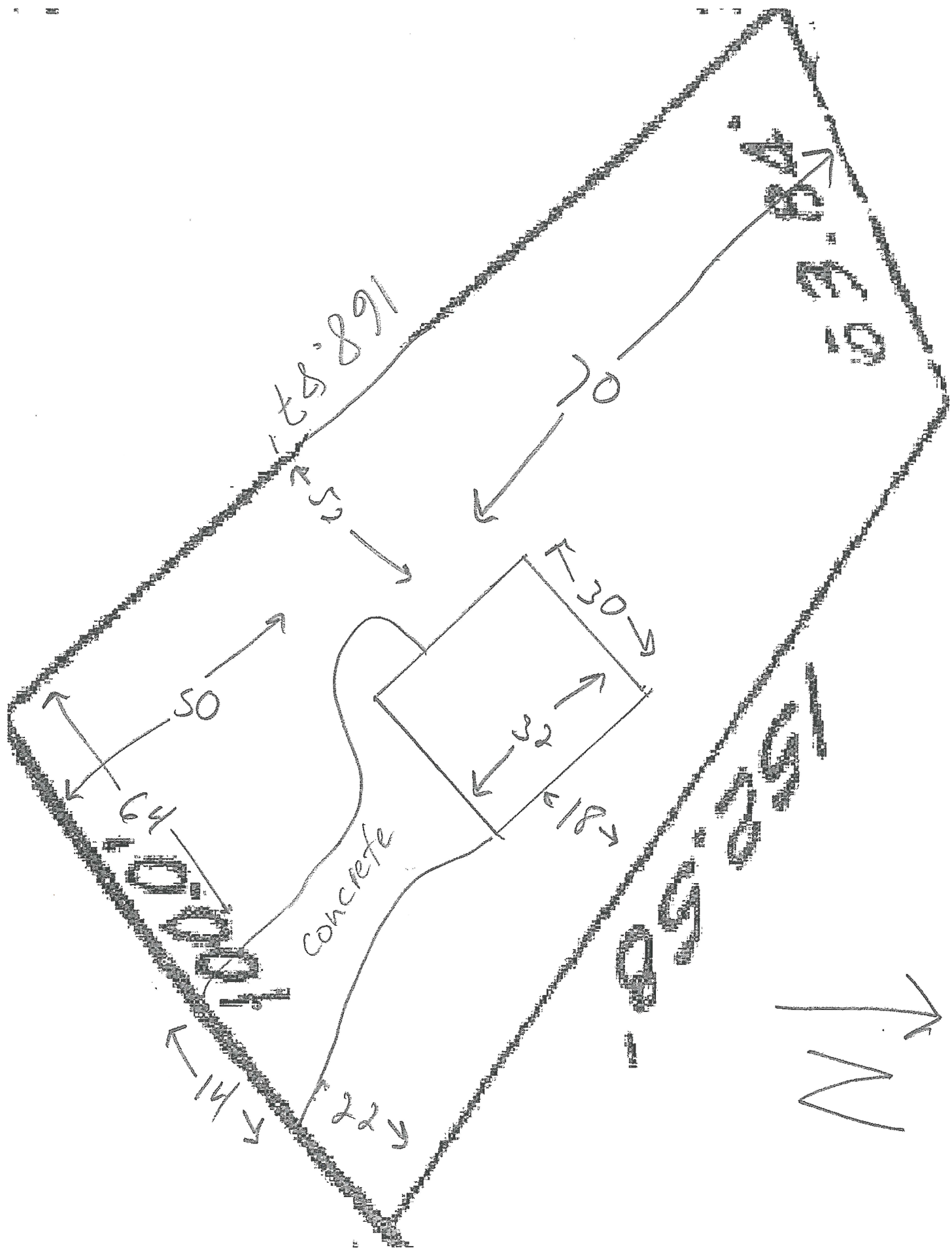
On a separate sheet of paper, please attach a drawing (does not have to be to scale) which details the location of the development on your property. Please include the items below in the drawing.

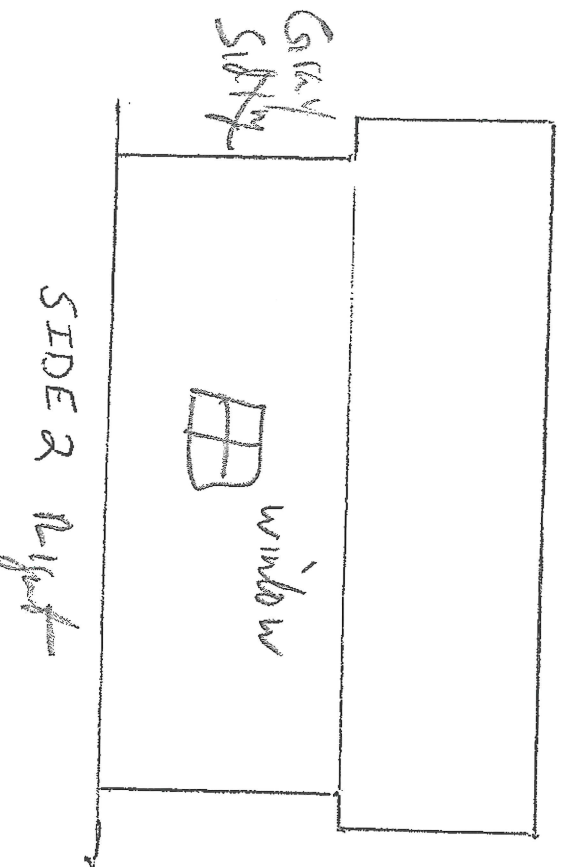
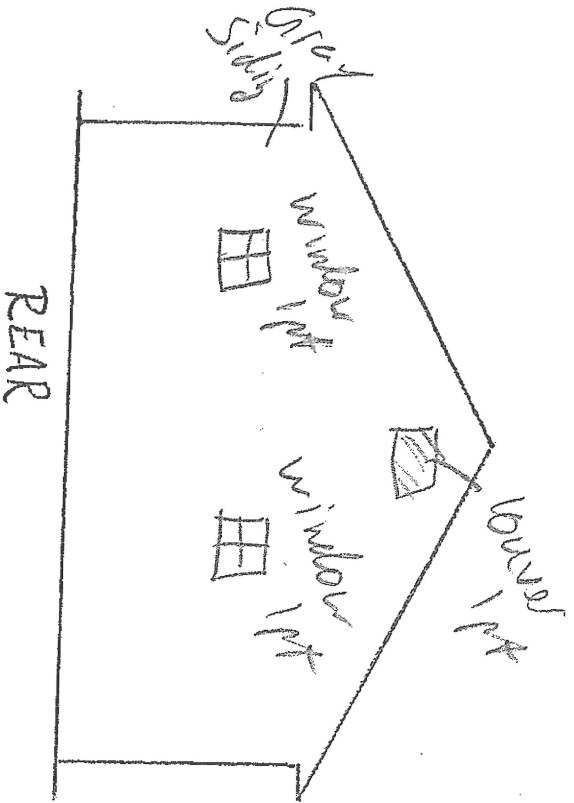
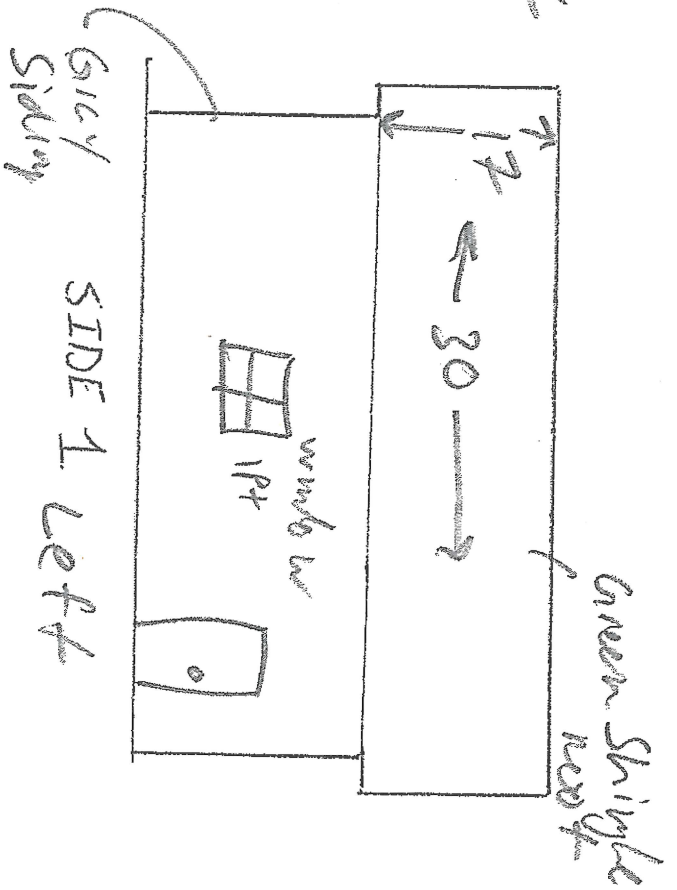
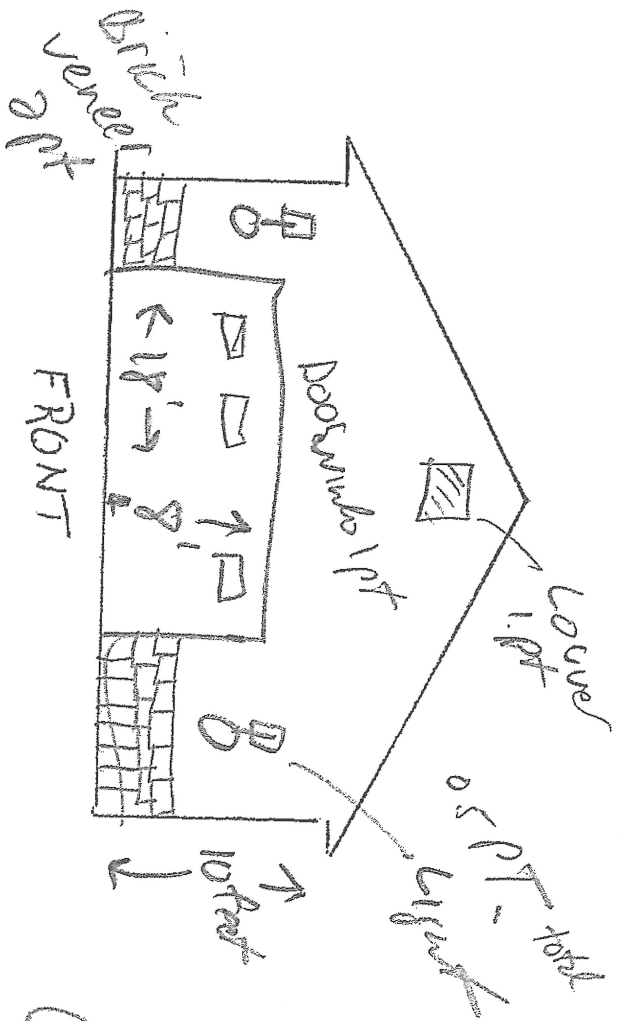
Items to Include

- North Arrow
- All Property Lines & platted easements (Distances in Feet)
- Existing and Proposed Driveways & driveway surface material
- Setbacks from edges of the proposed structure to the nearest property lines.
- Distances as measured at the closest point between existing and proposed structures.
- Distances as measured at the closest point between the proposed structure and the well & septic systems.
- Square footage of all existing and proposed buildings on site

Application Materials:

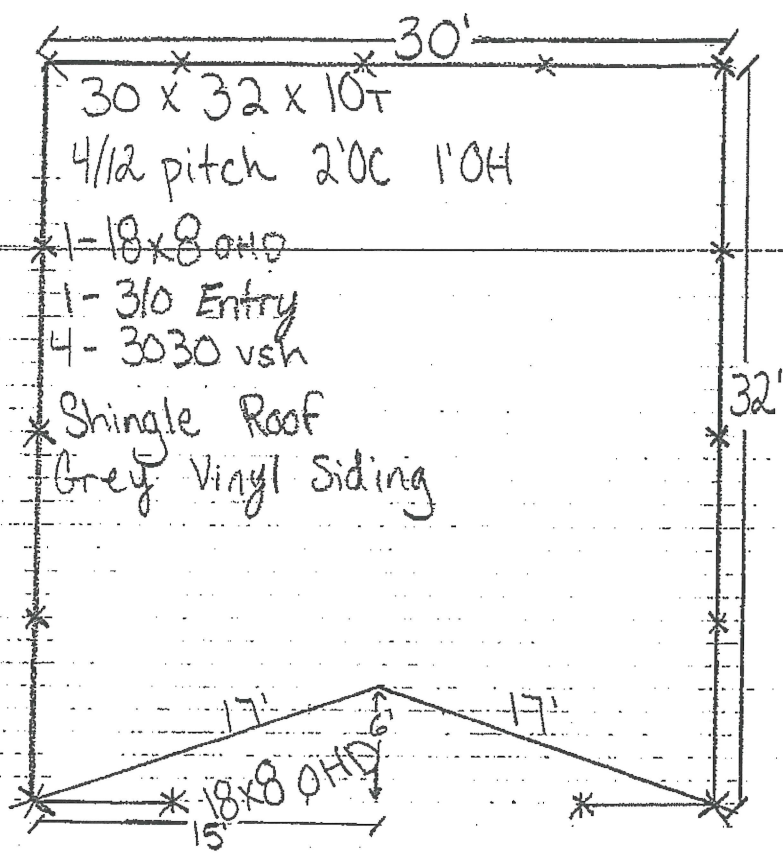
- Application Fee
- Completed Application, including Plot Plan
- Copy of Soil Erosion Permit (if applicable)
- Deed Combination (if applicable)
- **Required Drawings** Showing Exterior Finishes and items to be scored to meet the minimum number of points required per side. The following character features are used to obtain points to meet the design requirements:
 - Windows, to be counted towards meeting the minimum number of finish points per side, shall be of the same function, style, and shape of the windows on the Primary Structure. All such windows shall be at least seven (7) square feet. (1 point/window)
 - Entry Door with Window (1 point/entry door)
 - Louvers (1 point)
 - Dormers (2 points regardless of number)
 - Garage Doors with Windows (1 point per door)
 - Light Fixtures (0.25 points per fixture, and a maximum of 1 total point counted per side)
 - Cornices or Decorative molding (0.5 per side)
 - Color/material variations (1 point)
 - Variation in the orientation/style of boards, material variations other than stone or brick veneer. (1 point)
 - Stone or brick veneer (2 point)
 - Shutters (0.5 point per window)
 - A recess in the façade of at least four feet (2 points)
 - Cross Gable Roof (1 point)
 - Rooftop Cupola (0.5 awarded to each side)





Eaves: 68
Gables: 68
Roof Sq: 1,156
Wall Sq: 1,272
Total: 136
Wall Lf: 77

Mike Swartz
(989) 289-0955



SLU:	2024-01		Request Location:	1039/1040 Essex
Parcel #	Physical Location	Owner/Occupant	Mailing Address	City, State & Zip
21-075-00-400-00	1026 Kent Street	Erin Williams	1026 Kent Street	Lake Isabella, MI 48893
21-075-00-399-00	1028 Kent Street	Matthew Miller	1030 Kent Street	Lake Isabella, MI 48893
21-075-00-398-00	1030 Kent Street			
21-075-00-397-00	1032 Kent Street	Kimberly Ovaitt	1048 Essex Drive	Lake Isabella, MI 48893
21-075-00-396-00	1048 Essex Drive			
21-075-00-351-00	1047 Essex Drive	Leonard & Dorothy Dreon	5653 Culver	Dearborn Heights, MI 48125
21-075-00-345-00	1000 Southport Drive	Diane Picklo	37814 Willowmere	Harrison Township, MI 48045
21-075-00-346-00	1002 Southport Drive			
21-075-00-347-00	1004 Southport Drive	Jack & Barbara Schinderle	11977 Eden Trail	Eagle, MI 48822
21-075-00-344-00	1005 Southport Drive	William & Nicole Michalski	1003 Southport Drive	Lake Isabella, MI 48893
21-075-00-343-00	1003 Southport Drive			
21-075-00-342-00	1001 Southport Drive			
21-075-00-341-00	1041 Essex Drive			
21-075-00-459-00	1040 Essex Drive	Michael Swirtz	1039 Essex Drive	Lake Isabella, MI 48893
21-075-00-340-00	1039 Essex Drive			
21-075-00-339-00	1037 Essex Drive	Kelly Robbins	1025 Lincoln Drive	Lake Isabella, MI 48893
21-075-00-458-00	1036 Essex Drive			
21-075-00-338-00	1035 Essex Drive	Mark & Kyle Bauer	25886 Carriage Lane	South Lyon, MI 48178
21-075-00-337-00	1033 Essex Drive	Doug & Daun Neff	1033 Essex Drive	Lake Isabella, MI 48893
21-075-00-336-00	1031 Essex Drive			
21-075-00-335-00	1029 Essex Drive	Thomas & Kathleen Kauffmann	1029 Essex Drive	Lake Isabella, MI 48893
21-075-00-452-00	1016 Essex Drive	Edward & Deloris Drumm	5643 N. Cedar Lake Rd	Edmore, MI 48829
21-075-00-465-00	1023 Kent Street	Jason & Carolyn Galla	1018 Essex Drive	Lake Isabella, MI 48893
21-075-00-466-00	1021 Kent Street			
21-075-00-453-00	1018 Essex Drive			
21-075-00-454-00	1020 Essex Drive	Ed & Kathy Bayless	1020 Essex Drive	Lake Isabella, MI 48893
21-075-00-455-00	1030 Essex Drive			
21-075-00-456-00	1032 Essex Drive	Henry & Denise McKay	12319 Fordline	Southgate, MI 48195
21-075-00-457-00	1034 Essex Drive	Ryan & Wendy Irland	1034 Essex Drive	Lake Isabella, MI 48893
21-075-00-460-00	1042 Essex Drive	David & Lisa Wendland	1044 Essex Drive	Lake Isabella, MI 48893
21-075-00-461-00	1044 Essex Drive			
21-075-00-462-00	1031 Kent Street			
21-075-00-463-00	1027 Kent Street	Bruce Ellis	1019 Essex Drive	Lake Isabella, MI 48893
21-075-00-464-00	1025 Kent Street	Cathrine Ries	1049 Truwood	Rochester Hills, MI 48307

Mailing List Prepared on:

5/22/2024

Mailing List Prepared by:

Tim Wolff

VILLAGE OF LAKE ISABELLA
NOTICE OF PUBLIC HEARING

Proposed Ordinance 2024-02

Notice is hereby given that the Planning Commission of the Village of Lake Isabella will hold a public hearing on Tuesday, June 11, 2024, as part of a Regular Meeting beginning at 7 p.m. local time. The purpose of this public hearing is to receive comments and questions on a proposed text amendment to the Village of Lake Isabella Zoning Ordinance. The location of the public hearing will be the Lake Isabella Village Hall, 1010 Clubhouse Drive, Lake Isabella, MI 48893.

Proposed Ordinance 2024-02 would amend the Village of Lake Isabella Zoning Ordinance text to treat Group Day Care Homes as a Special Land Use in the LR-1 and LR-2 zoning districts. If adopted, the proposed ordinance would also update the definition of Family Day Care Homes and Group Day Care Homes.

Information may be obtained, and a draft copy of the Proposed Ordinance may be obtained at the Village Hall at the above address between the hours of 8 a.m. to 4:30 p.m., Monday through Friday. Written comments may be submitted in advance of the public hearing to the Village Clerk at the address below or via email at *office@lakeisabellami.org*.

Carol Shannon
Village Clerk
1010 Clubhouse Drive
Lake Isabella, MI 48893
(989) 644-8654



Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI, 48893
989.644.8654
www.lakeisabellami.org

June 3, 2024

Krisandra Rondy

Lake Isabella, MI 48893

RE: GROUP DAY CARE ORDINANCE PUBLIC HEARING

Dear Mrs. Rondy,

Enclosed is a notice of a public hearing that I would like to invite you to attend. On Wednesday, June 11, 2024, the Lake Isabella Planning Commission will hold a public hearing as it considers changes to the Village's zoning ordinance's regulation of Group Day Care Homes. This is the first of what is essentially a three-step process that could result in allowing Group Day Care Homes as a Special Land Use.

At this month's public hearing, the Planning Commission would welcome your input and is interested in learning more about your experience in operating a daycare in the community. After the public hearing, the Planning Commission may recommend the ordinance amendments to the Village Council. The Village Council would also be required to hold a public hearing before taking action on the proposed changes before they could be officially adopted.

The proposed changes would allow Group Day Care Homes as a Special Land Use. An individual interested in obtaining zoning approval would need to then be approved by the Planning Commission as a Special Land Use. In reviewing neighboring communities, this approach would be consistent with the City of Mt. Pleasant and Union Township's Group Day Care Homes approach.

I hope to see you on the 11th, if your schedule does not permit your attendance, written comments can be submitted before the meeting via email at tim@lakeisabellami.org.

Sincerely,

Tim Wolff
Village Manager



Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI, 48893
989.644.8654
www.lakeisabellami.org

June 3, 2024

Amber Hoover

Lake Isabella, MI 48893

RE: GROUP DAY CARE ORDINANCE PUBLIC HEARING

Dear Ms. Hoover,

Enclosed is a notice of a public hearing that I would like to invite you to attend. On Wednesday, June 11, 2024, the Lake Isabella Planning Commission will hold a public hearing as it considers changes to the Village's zoning ordinance's regulation of Group Day Care Homes. This is the first of what is essentially a three-step process that could result in allowing Group Day Care Homes as a Special Land Use.

At this month's public hearing, the Planning Commission would welcome your input and is interested in learning more about your experience in operating a daycare in the community. After the public hearing, the Planning Commission may recommend the ordinance amendments to the Village Council. The Village Council would also be required to hold a public hearing before taking action on the proposed changes before they could be officially adopted.

The proposed changes would allow Group Day Care Homes as a Special Land Use. An individual interested in obtaining zoning approval would need to then be approved by the Planning Commission as a Special Land Use. In reviewing neighboring communities, this approach would be consistent with the City of Mt. Pleasant and Union Township's Group Day Care Homes approach.

I hope to see you on the 11th, if your schedule does not permit your attendance, written comments can be submitted before the meeting via email at tim@lakeisabellami.org.

Sincerely,

Tim Wolff
Village Manager

Village of Lake Isabella

1010 Clubhouse Drive
Lake Isabella, MI 48893

PROPOSED ORDINANCE 2024-02

GROUP DAY CARE HOMES

The Village of Lake Isabella hereby ordains:

SECTION 1: PURPOSE

The purpose of this Ordinance is to update the definition of Family Day Care Homes and Group Day Care Homes contained in the zoning ordinance of the Village of Lake Isabella. It is further the purpose of this ordinance to amend the regulation of Group Day Care Homes and classify them as a Special Land Use in the LR-1 and LR-2 zoning districts. The amendments contained in this ordinance are intended to address a shortage of childcare services in the region, which hinders economic development. It is also the intent of the proposed amendments to allow residents of the community added opportunities for self-employment and work-from-home careers.

SECTION 2: DEFINITIONS AMENDED

The following definitions in Chapter 1204 are hereby updated to read as follows:

Day Care Homes, Family: A private home in which at last one (1) minor child, but fewer than seven (7) minor children, are received for care and supervision for periods of less than twenty-four hours a day, unattended by a parent or legal guardian, except children or adults related to an adult member of the family by blood, marriage, or adoption. ~~one to seven (7) children are received for care and supervision.~~

Day Care Home, Group: A private home in which more than six (6), but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four hours a day, unattended by a parent or legal guardian. ~~seven (7) but not more than fourteen (14) minor children or adult patrons are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children or adults related to an adult member of the family by blood, marriage, or adoption. Group day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year, and also Adult Day Cares.~~

SECTION 3: SCHEDULE OF USES UPDATED

The schedule of Permitted and Special Land Uses contained in Section 1232.3 of the Codified Ordinances of the Village of Lake Isabella is amended to classify Group Day Care Homes as a Special Land Use in the LR-1 and LR-2 zoning districts.

SECTION 4: STANDARDS OF USE UPDATED

The standards of use and conditions required for development are hereby updated to read as follows concerning the regulation of Family Day Care Homes and Group Day Care Homes.

37. Day Care Home, Family.

- a) A minimum of thirty-five square feet (35') of habitable indoor play area shall be provided for each child. This area shall be exclusive of hallways, bathrooms, office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- b) A minimum of one hundred twenty-five (125) square feet of fenced outdoor play area shall be provided for each child. The fence shall be a minimum height of three feet (3') above grade.
- c) All outdoor play equipment shall be located at least twenty feet (20') from any residential dwelling(s) on abutting properties.
- d) Applications for approval of any day care or child care facility shall include a ~~site~~ [plot](#) plan drawn to scale of both the floor plan of the structure and the parcel showing all current and proposed fences, play equipment, and parking spaces.
- ~~e) A Family Day Care Home shall not be located within three hundred (300) feet, measured parcel line to parcel line to any of the following:~~
 - ~~i) A State licensed residential facility for adult foster care or the care and treatment of persons released from or assigned to adult correctional institutions.~~
 - ~~ii) A facility offering substance abuse treatment and rehabilitation services to seven or more people as licensed by the State of Michigan.~~
- ~~f) A facility offering substance abuse treatment and rehabilitation services to seven or more people as licensed by the State of Michigan.~~
- ~~g)~~ [ge](#)) Hours of operation shall be limited to ~~7~~ [6:30](#) a.m. until 8 p.m. If an applicant wishes to seek operating hours outside of this time frame, the matter shall be considered a Special Land Use. The Planning Commission shall consider the request only after holding a public hearing.

38. Day Care Home, Group.

- a) A minimum of thirty-five square feet (35') of habitable indoor play area shall be provided for each child or adult patron. This area shall be exclusive of hallways, bathrooms, office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- b) A minimum of one hundred twenty-five (125) square feet of fenced outdoor play area shall be provided for each child or adult patron. The fence shall be a minimum height of four feet (4') above grade.

- c) All outdoor play equipment shall be located at least twenty feet (20') from any residential dwelling(s) on abutting properties.
- d) Applications for approval of any group day care shall include a ~~site~~ plot plan drawn to scale of both the floor plan of the structure and the parcel showing all current and proposed fences, play equipment, and parking spaces.
- e) A Group Day Care Home shall not be located within ~~three~~ five hundred (~~3~~500) feet, measured parcel line to parcel line to any of the following:
 - i) A State-licensed residential facility for adult foster care or the care and treatment of persons released from or assigned to adult correctional institutions.
 - ii) A facility offering substance abuse treatment and rehabilitation services to seven or more people as licensed by the State of Michigan.
 - iii) Another Family Day Care Home or Group Day Care Home.
- f) Hours of operation shall be limited to ~~7~~6:30 a.m. until 8 p.m. If an applicant wishes to seek operating hours outside of this time frame, the matter shall be considered a Special Land Use. The Planning Commission shall consider the request only after holding a public hearing.
- g) An Adult Day Care Home shall be registered and licensed as required for group day care homes under the Child Care Organizations, Public Act 116 of 1973, as amended.

SECTION 5: SEVERABILITY

In the event that any section or sections, provisions, phrases, or words of this Ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases, or other words of this Ordinance.

Section 6: Ordinances Repealed

All ordinances and/or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

Section 7: Effective Date

This Ordinance shall take effect and be in force upon the expiration of 7 days after the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

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We, the undersigned President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2024-02 “**GROUP DAY CARE HOMES**” of the Village of Lake Isabella, was adopted in the following manner with at least seven days elapsing between the publication of the public hearing for the Ordinance and the enactment by the Village Council at a regular or special meeting of the Lake Isabella Council, offered by councilmember _____, and seconded by councilmember _____. Initially introduced by Councilmember _____.

Planning Commission Introduction	May 14, 2024
Planning Commission Public Hearing	June 11, 2024
Planning Commission Recommendation	
Village Council Introduction	
Village Council Public Hearing	
Village Council Enactment	

The vote to adopt this Ordinance was taken by roll call, with the “yeas” and “nays” recorded as such.

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

Dated at Lake Isabella, Michigan, this _____ day of _____, 2024.

Village Council President
David Torgerson

Village Clerk
Carol Shannon