

St. James Township Planning Commission
P. O. Box 85
Beaver Island, MI 49782

Charlevoix County Planning Commission
301 State Street
Charlevoix, MI 49720

May 3, 2023

RE: Rezoning Application by St. James Township

St. James Township has submitted a REZONING application for a property being sold by St. James Township and previously zoned as "Public Land and Facilities District". The REZONING would consist of one parcel of the sold property rezoned to "Marine District" and the other to "Harbor District" of St. James Township. Attached is their application for REZONING and a site map.

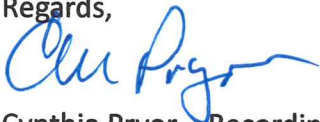
The St. James Township Planning Commission held a Public Hearing on May 2, 2023 at 5:30 pm where written public comment was taken and accepted. No other public comment was made at the hearing. Additional attachments are:

- Notice of Public Hearing
- Correspondence from John Haggard and Marge Boyle of Beaver Island.
- Draft Minutes from the public hearing

The St. James Township Planning Commission, by unanimous roll-call vote, did approve this application.

Any questions may be directed to: Lori Taylor-Blitz - Chair of St. James Township Planning Commission at chair.pc.stjamestownship.bi@gmail.com.

Regards,



Cynthia Pryor – Recording Secretary
St. James Township Planning Commission
Beaver Island

St. James Planning Commission

May 2, 2023 Public Hearing and Regular Meeting

Called to Order 5:40 pm. Quorum established. Pledge of Allegiance

Roll Call of Commissioners: PRESENT: Lori Taylor-Blitz, Vic Van Deventer, Paul Cole, Juli Runberg

Not Present but arrived 5:45 pm: Mark Englesman

EXCUSED: Beth Crosswhite

Also PRESENT: Rick Speck, Zoning Administrator

Shelby Harris, Township Planning Assistant/TIS Administrator

Bobbi Welke, Township Supervisor

Introduced new Commissioner Cynthia Pryor. Motion to approve Cynthia Pryor as Recording Secretary – Approved.

Motion to approve Agenda made by Cole, 2nd Van Deventer. Approved

Motion to approve 4/4/23 Minutes made by Van Deventer, 2nd by Cole. Some discussion on Turner decision. Approved.

PUBLIC HEARING OPENED 5:45 on S-1907 St. James Township Rezoning Application. Written comments noted and accepted from John Haggard and Marge Boyle. No public comment given. No comment by Zoning Administrator Speck. No comment by Commissioners. Motion to approve made by Englesman, 2nd by Cole. Role call vote: Van Deventer-Aye, Cole-Aye, Runberg-Aye, Pryor-Aye, Englesman-Aye, Taylor-Blitz-Aye. Approved. Discussion on next step in correspondence to Charlevoix County Planning Commission. Pryor to work with Harris in drafting recommended approval correspondence.

PUBLIC HEARING CLOSED: 5:55 pm

NEW BUSINESS:

- a. S-1907 **APPROVED** in Public Hearing
- b. S-1911 Pollock-Peirano Brief discussion on location of Coffee Trailer pad, driveway to garage door, parking and visibility from main road. Mr. Peirano present and answered questions. Motion to Approve made by Englesman, 2nd by Cole. **APPROVED**
- c. S-1913 Visser. Critical Dunes Zoning Application. Speck gave a lot description, Pryor questioned Harris – TIS Administrator as to her review and concern of Critical Dune habitat. Speck did not think current Critical Dune Ordinance required TIS review. Harris stated she has jurisdiction through the TIS Ordinance put in place after the Critical Dune Ordinance. Motion to review site by May 16th by Englesman, 2nd by Van Deventer. Motion carried. Site to be reviewed by TIS Administrator and interested Commissioners. To be brought before Special Meeting on May 16, 2023 for consideration. **TABLED**
- d. S-1914 Beaver Island District Library and St. James Township. Speck described Library desire to place a pre-fab building on current Book Sale tent site. Noted all within set-back within zoning district. Requirements are for poured cement pad and placement of constructed building on site. Englesman noted a need for stamped engineered drawings. Speck noted that those would fall under County Building process. Motion to Approve by Englesman, 2nd by Van Deventer. Pryor recused herself by being on Library Board. Motion Approved. Township Supervisor Welke noted

that the application should note owner as Beaver Island District Library but agreed that townships are the ultimate owner of property. **APPROVED**

OLD BUSINESS:

- a. Master Plan Update: Taylor-Blitz noted that the Master Plan Public Comment period had begun for 63 days beginning April 26th, 2023. Draft Master Plan are on websites and some hard copies are in the community for public review.
- b. Zoning Ordinance Update: Planning Assistant Harris had forwarded a list of planning consultants for Commission consideration in beginning the Zoning Ordinance Update process. Harris to forward Pryor a copy. Taylor-Blitz noted that a special meeting could take place to address the concerns of hiring planning consultants and to address any zoning issues in the near future. Cole supported. Taylor-Blitz called for a meeting on Tuesday May 16th, 6:00 pm at the Township Hall.

CORRESPONDENCE: Pryor asked if notes of thanks were extended to those who provided written comment for the public hearing. Taylor-Blitz responded that they were not.

PUBLIC and BOARD COMMENT: Runberg expressed support for concern of Marge Boyle public hearing comment regarding trail easements near Boyle property. Supervisor Welke stated she would work with Boyle to explain easement use. Harris reminded Commissioners of webinar training available in May. Supervisor Welke added that Peaine Township was looking at updating Zoning Application Forms and Fee Structure.

Motion to Adjourn by Van Deventer, 2nd by Runberg. Meeting Adjourned. 6:25 pm

Next meeting: **May 16, 2023 6:00 pm St. James Township Hall**

Cynthia Pryor
Recording Secretary



St. James Township Planning Commission Public Hearing

37735 Michigan Ave
Beaver Island, MI 49782
(231) 448-2259

Notice of Public Hearing
To be held 5:30pm,
May 2, 2023
St. James Township Hall

PLEASE TAKE NOTE that on the 2nd day of May, 2023 at 5:30 P.M. the St. James Township Planning Commission will hold a Public Hearing in response to the request by St. James Township to rezone property at 38030 Michigan Ave, Beaver Island, MI 49782 from "Public Land & Facilities District" to "Harbor District" and "Marine Related District" respectively. Public may appear at the public hearing in person or by counsel. Written comments will also be received by mailing them to the Planning Assistant, PO BOX 85, 37830 Kings Hwy, Beaver Island, MI 49782 or contacting via email at stjamesadmasst.bi@gmail.com by May 1, 2023.

Dated: April 12, 2023
Posted: April 14, 2023

Submitted by:
Shelby Harris Planning Assistant of
St. James Township
P.O. BOX 85, 37830 Kings Hwy,
Beaver Island, MI 49782
(231) 330-0422
April 12, 2023

April 17th, 2023

Planning Assistant

Shelby Harris

PO BOX 85, 37830 Kings Hwy

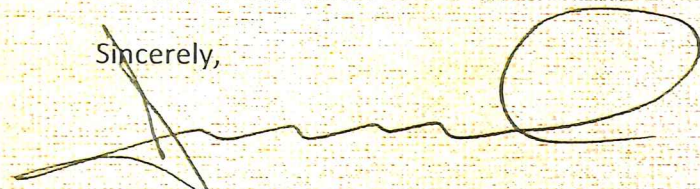
Beaver Island, MI 49782

Ref: To the request by ST. James Township to rezone property at 38030 Michigan Ave, Beaver Island, MI 49782 from "Public Land & Facilities District" to "Harbor District" and "Marine Related District" Respectively.

To whom it May Concerns,

Upon reviewing the above notice, I would like to express my view on the above request. Haggard's Plumbing & Heating is not opposed to the changes of the property and/or the request. If a property owner is fortunate enough to have the ability and the recourses in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county, and state to do all we can to improve and promote in anyways possible.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Haggard', with a large, stylized loop at the end.

John Haggard

Haggard's Plumbing & Heating

4-24-2023

I was recently informed that the township obtained an easement on the newly acquired Martin property along their property and my property to be used as a public walking trail.

I am a widow and live alone and am not happy about the thought of strangers roaming by my yard at all hours. For this reason I am requesting that the township create a barrier on their side of this easement; possibly a combination of fence and shrubbery. Proper signage showing restrictions of usage (i.e.) motorized bikes, snow mobiles (etc.) should also be evident.

Hopefully users of this trail will be respectful and stay off private property. However if this turns out not to be the case, I won't hesitate to notify authorities..

Thank you for your attention to this matter,

Marge Boyle

38050 Michigan Ave

Approve S

APPLICATION FOR REZONING

The Michigan Zoning Enabling Act specifies that rezoning requests require a Public Hearing posted 15 days in advance. To ensure your application is considered by the Planning Commission at the next regularly scheduled meeting, the completed application package must be submitted to the Zoning Administrator no less than 17 days in advance of said meeting. Incomplete applications will delay consideration.

I. Identification:

Property Owner(s): ST JAMES TOWNSHIP

Mailing Address: PO BOX 85

City: BEAVER ISLAND State: MI Zip: 49782

Applicant (if other than property owner): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

II. Property Identification:

Legal Description: (Attach separate document if necessary)

SEE ATTACHED CERTIFICATE OF BOUNDARY SURVEY

Parcel Number: 013 - 223 - 039 - 00

Existing Zoning District Classification: PLFD FOR PARCELS A+B

H: PARCEL B

Zoning District Classification Requested: MZ: PARCELS A

III. Reason for Requested Change: (Attach separate document if necessary)

SURPLUS PROPERTY SALE TO PRIVATE (NON-GOVERNMENT)
OWNER REQUIRES PLFD TO BE CHANGED TO ADJACENT
ZONING DISTRICTS

IV. Site Plan

Complete and attach a site plan of the subject property (to scale) including the following:

- All property boundaries REFER TO ATTACHED CERTIFICATE OF BOUNDARY SURVEY
- All structures on subject property (with dimensions and setbacks from property boundaries) REFER TO ATTACHED CERTIFICATE OF BOUNDARY SURVEY
- All structures on adjacent properties and properties within 300' of subject property (an aerial photograph showing property boundaries and structures may suffice)
REFER TO COUNTY PARCEL MAP WITH 300' AREA DENOTED.

- d. All roads, easements, bodies of water, and other significant or relevant topographic features on (or within 300' of) the subject property
REFER TO COUNTY PARCEL MAP WITH 300' AREA DENOTED.

As the owner and/or applicant representing the owner, I authorize St James Township (staff, appointed board member(s) and/or planning commissioners) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site walks shall be conducted at reasonable hours and times. I hereby certify that all the above information is accurate to the best of my knowledge. I agree to comply with all provisions of the St. James Township Zoning Ordinance.

3-28-23

Date

Robert Wells

Applicant Signature

FOR OFFICE USE ONLY

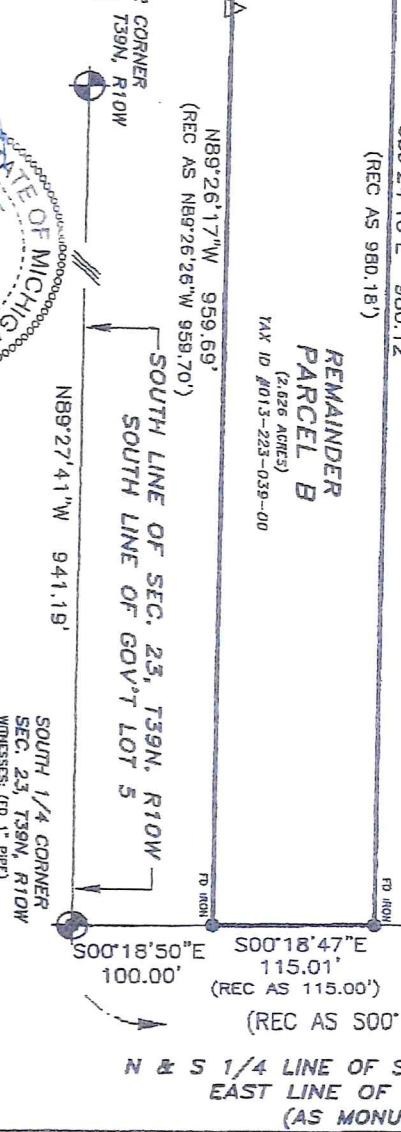
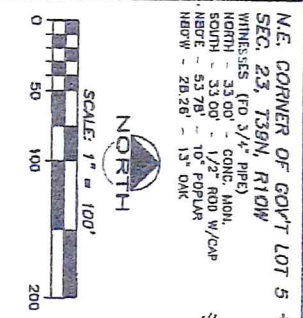
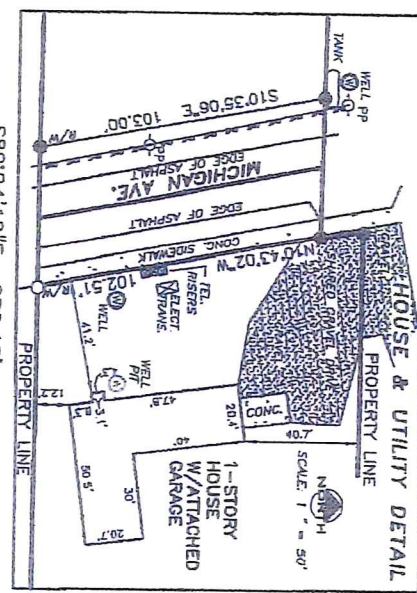
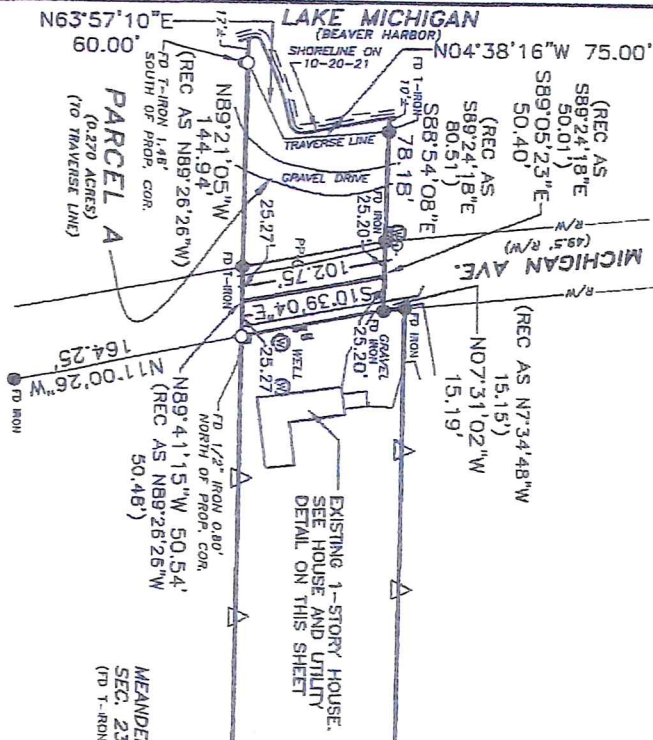
Date Complete Application Received: 03/29/23 Assigned Case #: 5-1907

Permit Fee: \$ 0 Date Paid: — Check #: —
RSW

CERTIFICATE OF BOUNDARY SURVEY

CERTIFIED TO: ST. JAMES TOWNSHIP
37830 KINGS HIGHWAY
BEAVER ISLAND, MI 49782

PART OF GOV'T LOT 5,
SECTION 23, TOWN 39 NORTH, RANGE 10 WEST
ST. JAMES TOWNSHIP, CHARLEVOIX COUNTY, MICHIGAN



- LEGEND:**
1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. BEARINGS BASED ON CERTIFIED BOUNDARY SURVEY DATED 10-28-01 BY S. CHAMBERLAIN JR., PS NO. 25834.
 3. "●" INDICATES IRON/ROD FOUND IN PLACE.
 4. 1/2" x 24" STEEL RODS WITH ID. CAPS HAVE BEEN SET AT ALL POINTS MARKED WITH "O".
 5. "Δ" FD NAIL SET ALONG PROPERTY LINE ON PAST SURVEY.

This survey plot was prepared for the exclusive use of the person, persons, or entity named in the certification hereon. Said certificate does not extend to any unnamed third person without an express recertification by the surveyor naming said third person.

SCOTT A. FERGUSON, SURVEYOR, S. NO. 0001050446
I HEREBY CERTIFY THAT I HAVE SURVEYED AND MAPPED THE PROPERTY HEREIN DESCRIBED AND THAT THE MEASURED POSITIONS, DISTANCES AND CORNERS ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT ALL THE REQUIREMENTS OF M.C.L.A. 132 OF 1870, AS AMENDED, HAVE BEEN COMPLIED WITH.

FERGUSON & CHAMBERLAIN ASSOCIATES, INC.
PROFESSIONAL SURVEYORS
103 W. UPRIGHT STREET, CHARLEVOIX, MICHIGAN 49720
(231) 547-6882 - FAX (231) 547-0021
EMAIL: info@fcassurveying.com

November 16, 2021

Job No. SB-15201C-98 (21)

Legal Description for: St. James Township


Parcel A

In the Township of St. James, Charlevoix County, Michigan, Commencing at the Southwest corner of Government Lot 5, Section 23, Township 39 North, Range 10 West; thence along the South line of said section, South 89°27'41" East 941.19 feet to the South one-quarter corner of said section; thence along the North and South one-quarter line of said section as monumented, North 0°18'50" West (recorded as North 0°18'00" East and North 0°02'24" West) 100.00 feet to a ½" iron rod; thence North 89°26'17" West 959.69 feet (recorded as North 89°26'26" West 959.70 feet) to a ½" iron rod on the East line of Michigan Avenue; thence North 89°41'15" West (recorded as North 89°26'26" West) 25.27 feet to the centerline of Michigan Avenue, being the POINT OF BEGINNING; thence continuing North 89°41'15" West (recorded as North 89°26'26" West) 25.27 feet to a T-iron on the West line of said road; thence North 89°21'05" West (recorded as North 89°26'26" West) 144.94 feet to a ½" iron rod on an intermediate traverse line of Lake Michigan (Beaver Harbor); thence along said traverse line, North 63°57'10" East 60.00 feet; thence continuing along said traverse line, North 4°38'16" West 75.00 feet to a T-iron; thence leaving said traverse line South 88°54'08" East 78.18 feet (recorded as South 89°24'18" East 80.51 feet) to a T-iron on the West line of said road; thence continuing South 88°54'08" East (recorded as South 89°24'18" East) 25.20 feet to the centerline of said road; thence along said centerline South 10°39'04" East 102.75 feet to the Point of Beginning, being a part of Government Lot 5, Section 23, Township 39 North, Range 10 West and containing 0.270 acres. The above described property extends to the water's edge of Lake Michigan Westerly of the courses described as being along the intermediate traverse line. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Parcel B (Remainder)

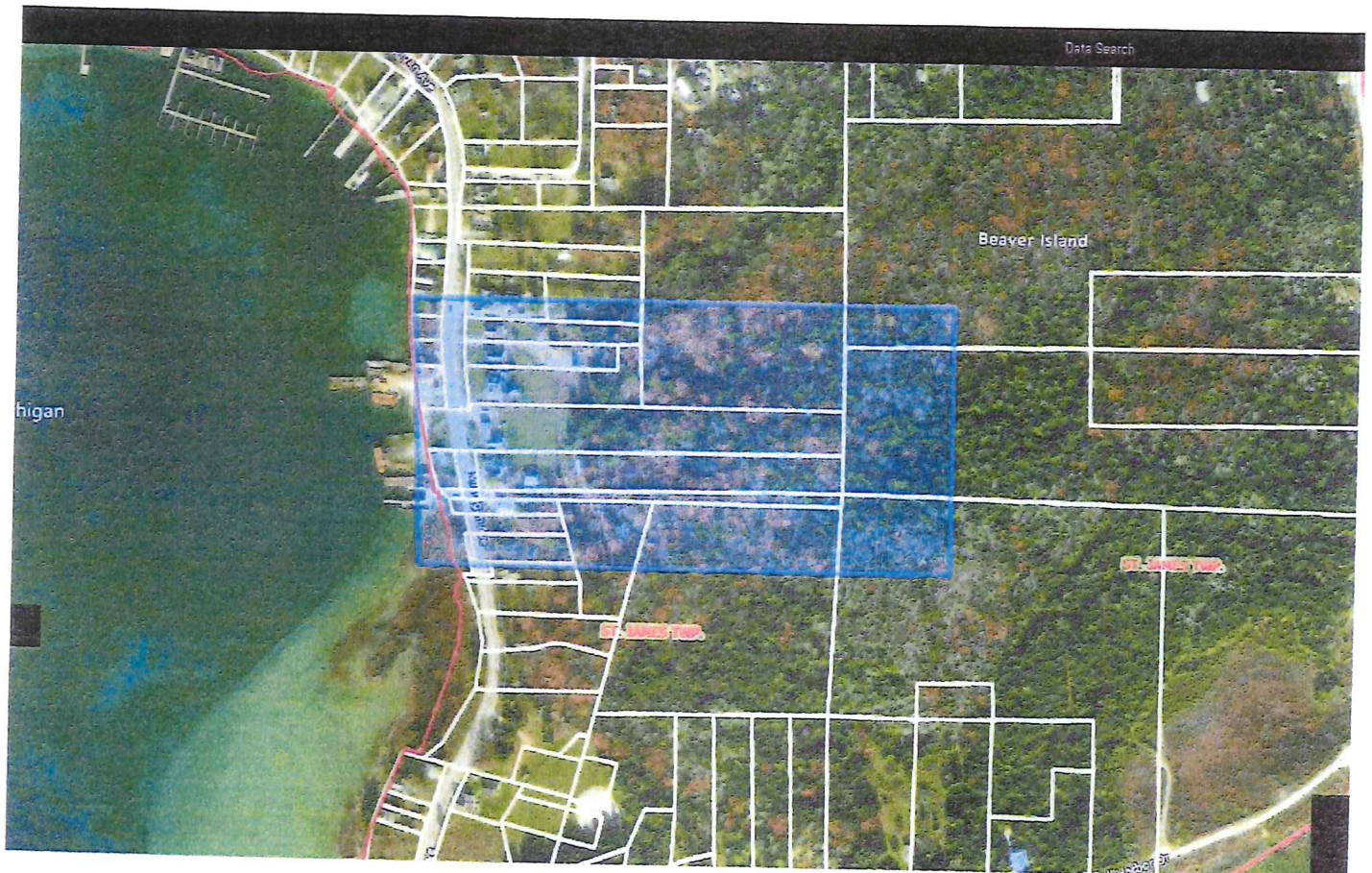
In the Township of St. James, Charlevoix County, Michigan, Commencing at the Southwest corner of Government Lot 5, Section 23, Township 39 North, Range 10 West; thence along the South line of said section, South 89°27'41" East 941.19 feet to the South one-quarter corner of said section; thence along the North and South one-quarter line of said section as monumented, North 0°18'50" West (recorded as North 0°18'00" East and North 0°02'24" West) 100.00 feet to a ½" iron rod being the POINT OF BEGINNING; thence North 89°26'17" West 959.69 feet (recorded as North 89°26'26" West 959.70 feet) to a ½" iron rod on the East line of Michigan Avenue; thence North 89°41'15" West (recorded as North 89°26'26" West) 25.27 feet to the centerline of Michigan Avenue; thence along said centerline North 10°39'04" West 102.75 feet; thence South 89°05'23" East (recorded as South 89°24'18" East) 25.20 feet to an iron rod on the East line of said road; thence along said East road line, North 7°31'02" West 15.19 feet (recorded as North 7°34'48" West 15.15 feet) to an iron rod; thence South 89°24'18" East 980.12 feet (recorded as 980.18 feet) to a ½" iron rod on the said one-quarter line; thence along said one-quarter line, South 0°18'47" East 115.01 feet (recorded as South 0°18'00" West and South 0°02'24" East 115.00 feet) to the Point of Beginning, being a part of Government Lot 5, Section 23, Township 39 North, Range 10 West and containing 2.626 acres. Subject to the rights of the public and of any governmental unit in any part thereof taken, used, or deeded for street, road, or highway purposes.

Prepared by:
Ferguson & Chamberlain Associates, Inc.
103 West Upright Street
Charlevoix, Michigan 49720


Scott A. Papineau, P.S. No. 4001050446



List of parcels within 300 ft of the parcels requesting rezoning					
TIN	OWNER NAME	ADDRESS	CITY	STATE	ZIP
SUBJECT PARCELS					
013-223-039-??	Bud Martin Properties LLC	28065 Barney's Lake Rd	Beaver Island	MI	49782
013-223-039-??	Bud Martin Properties LLC	28065 Barney's Lake Rd	Beaver Island	MI	49782
PARCELS WITHIN 300 FT					
013-223-038-15	Bud Martin Properties LLC	28065 Barney's Lake Rd	Beaver Island	MI	49782
013-223-038-10	Steve & Yvonne Crandall	38010 Michigan Ace	Beaver Island	MI	49782
013-226-004-00	Grand Traverse Band of Ottawa & Chippewa Indians	2605 NW Bayshore Dr	Peshawabtown	MI	49682
013-226-021-00	Daniel N Gallagher	11133 Lower Hay Lake Rd	Sault Marie	MI	49783-8609
013-226-21-20	Mary Stewart Scholl	37970 Michigan Ac	Beaver Island	MI	49782
013-226-029-10	Bradley P McDonough	Box 77	Beaver Island	MI	49782
013-226-011-00	Mary Stewart Scholl	37970 Michigan Ac	Beaver Island	MI	49782
013-226-012-10	Mary Stewart Scholl	37970 Michigan Ac	Beaver Island	MI	49782
013-223-001-70	Ann H Stanhope Trust	13 Fish Hawk Dr	Amelia Island	FL	32034
013-226-003-10	Raymond Stanhope Little Traverse Conservancy	3264 Powell Rd	Harbor Springs	MI	49740
013-223-001-35	Frank A & Dana D Dandraia	Box 438	Beaver Island	MI	49782
013-223-041-00	Bud Martin Properties LLC	28065 Barney's Lake Rd	Beaver Island	MI	49782
013-223-051-00	Boyle Living Trust John & Marjorie Trustees	38050 Michigan Ave	Beaver Island	MI	49782
013-223-040-00	Chas Carpenter Jr Family Trust Charles Carpenter	230 S State 63	Zeeland	MI	49464
013-223-052-00	Chas Carpenter Jr Family Trust Charles Carpenter	230 S State 63	Zeeland	MI	49464
013-223-054-00	Jeremy A Fogg	7035-0114th Ave	Fennville	MI	49416
013-223-053-00	Keith J Pierson & Sheri Pierce	1147 Geneva National Ave	Lake Geneva	WI	53147
013-223-037-00	Patricia Fogg/Etal	2459 N Lakeshore Dr	Holland	MI	49424



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ST JAMES TOWNSHIP ZONING MAP

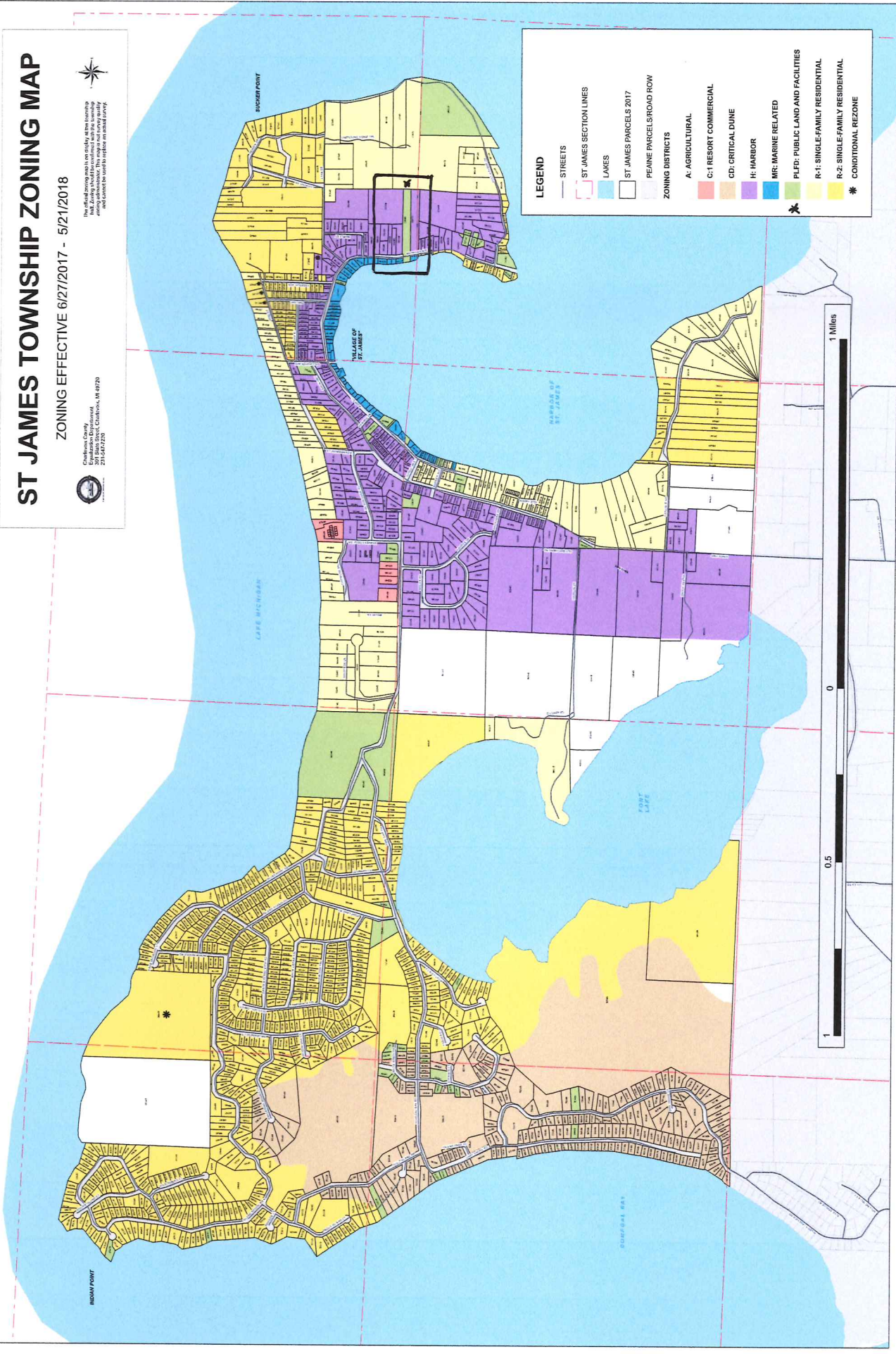
ZONING EFFECTIVE 6/27/2017 - 5/21/2018



Crawford County, Missouri
201 State Street, Clarksville, MO 64929
201-747-1201



This official zoning map is not to be used as a legal document. The map is not a survey and should not be used for any purpose other than as a guide to the zoning ordinance.



LEGEND

- STREETS
- ST JAMES SECTION LINES
- LAKE
- ST JAMES PARCELS 2017
- PEAINE PARCELS ROAD ROW

ZONING DISTRICTS

- A: AGRICULTURAL
- C-1 RESORT COMMERCIAL
- CD: CRITICAL DUINE
- H: HARBOR
- MR: MARINE RELATED
- PLD: PUBLIC LAND AND FACILITIES
- R-1: SINGLE-FAMILY RESIDENTIAL
- R-2: SINGLE-FAMILY RESIDENTIAL
- * CONDITIONAL REZONE