

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 PARCEL A+B

H: PARCEL B

Zoning District Classification Requested: MR: PARCEL 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:

- a. All property boundaries REFER TO ATTACHED CERTIFICATE OF BOUNDARY SURVEY
- b. All structures on subject property (with dimensions and setbacks from property boundaries) REFER TO ATTACHED CERTIFICATE OF BOUNDARY SURVEY
- c. 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 J. Welles

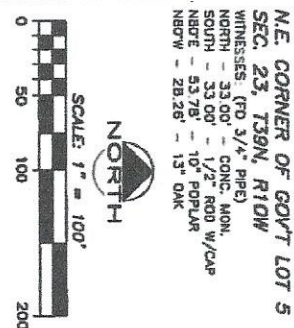
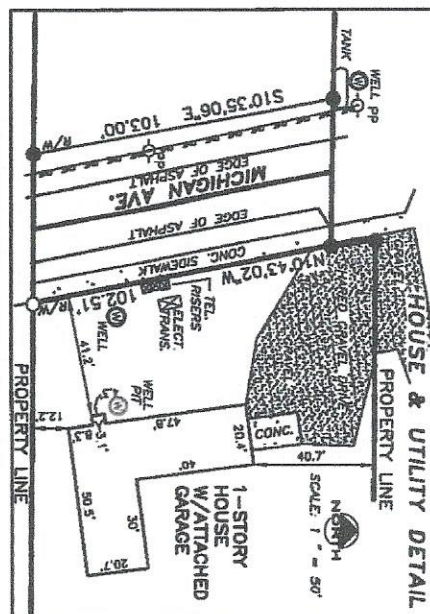
Applicant Signature

FOR OFFICE USE ONLY

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

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

**PART OF GOVT LOT 5,
SECTION 23, TOWN 39 NORTH, RANGE 10 WEST
ST. JAMES TOWNSHIP, CHARLEVOIX COUNTY, MICHIGAN**



S00°18'50"E 100.00' S00°18'47"E 115.01' (REC AS 115.00') S00°21'10"E 1245.21' (REC AS 1244.99')
(REC AS S00°18'W & S00°02'24"E)
N & S 1/4 LINE OF SEC. 23, T39N. R10W
EAST LINE OF GOV'T LOT 5
(AS MONUMENTED)

- This surveillance was prepared for the exclusive use of that 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.

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



**ENACTING A ZONING ORDINANCE AMENDMENT TO REZONE
ST JAMES TOWNSHIP OWNED PROPERTY
PARCEL: 013-227-039-00
DEADLINE: 5/22/23**

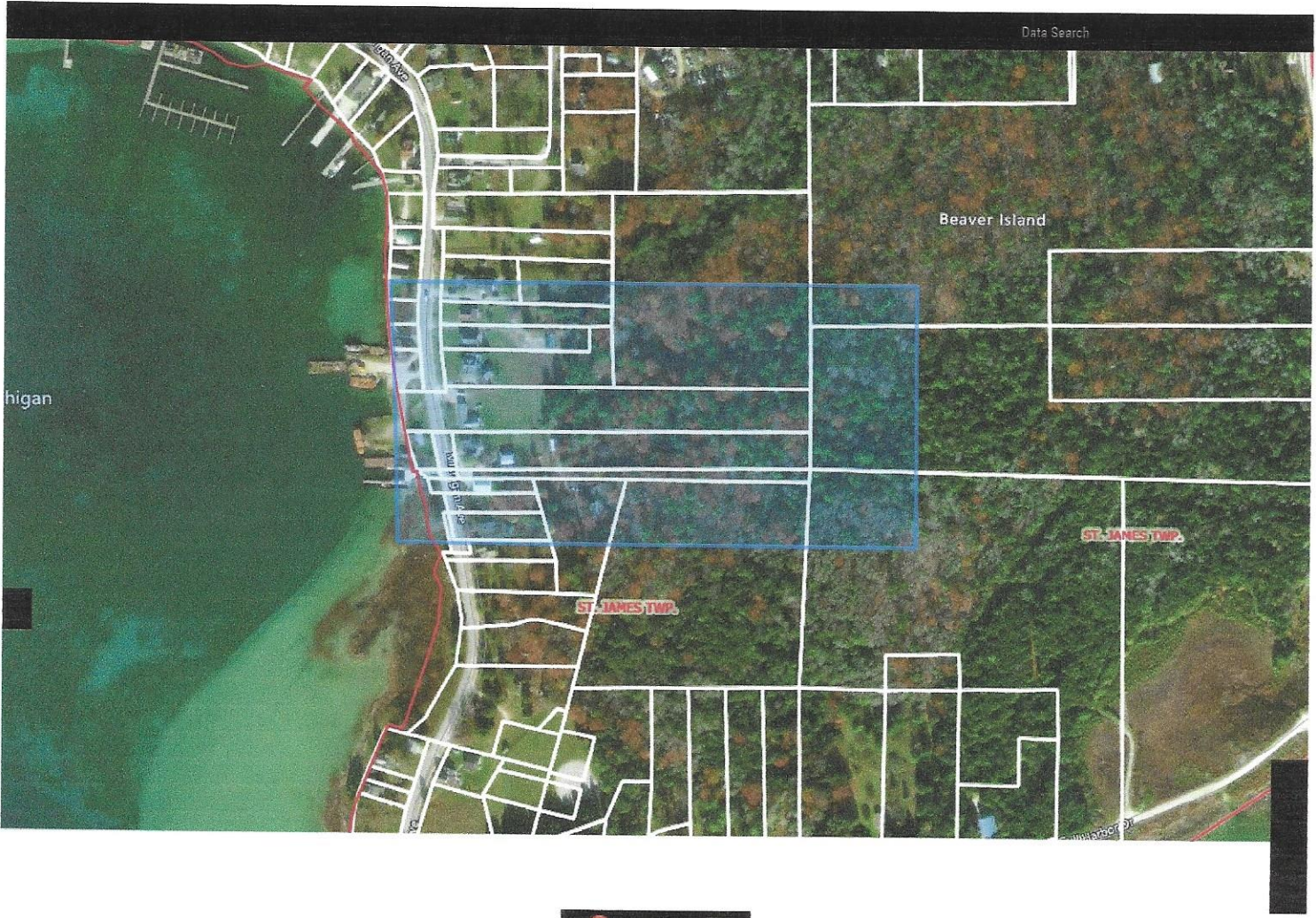
1. Refer the proposed amendment to the St James Township Planning Commission:
 - Complete Application for Rezoning. Deliver to the Zoning Administrator to provide to the Planning Commission prior to their next regularly scheduled meeting.
 - Application Includes:
 - Property Owner.
 - Property Identification including Legal Description, Parcel Number, Existing Zoning District Classification and Requested Zoning District Classification.
 - Reason for Requested Change
 - Site Plan including property boundaries, structures on boundaries, all structures on adjacent properties and property within 300'. An aerial photograph of property structures and structures may suffice.
 - All roads, easements, bodies of water and other significant or relative geographic features on or within 300' of the property.
2. The planning commission must hold at least one public hearing. The hearing must be noticed and published in a newspaper at least 15 days before the hearing.
 - Notice content:
 - Description of the nature of the proposed zoning ordinance amendment.
 - The time, date, and location of the hearing.
 - The places and times where the proposed ordinance may be examined.
 - The address where and the deadline when written comments will be received concerning the proposed zoning ordinance amendment.
 - The notice content shall be given by first-class mail to the electric and telephone company, the airport manager of each airport that registers its name and mailing address with the township clerk for the purpose of receiving the notice of the public hearing.
 - The notice shall be sent by first class mail or personal delivery to:
 - The owners of the property proposed for rezoning not less than 15 days before the public hearing.
 - To all persons to whom real property is assessed within 300' of the property proposed to be rezoned.
 - To the occupants of all structures within 300' of the property not less than 15 days of the scheduled hearing.
3. Following the public hearing, the planning commission shall submit the proposed zoning ordinance amendment, including any zoning maps to the county planning

commission for its review and recommendation. If there is no response within 30 days of their receipt, the county has waived its right to review/recommend.

4. Following the public hearing, the planning commission shall submit to the township board shall submit its recommendation on the amendment and a summary of the public comments received at the public hearing. This can be done by submitting the minutes of the public hearing and meeting at which its recommendation was made.
5. The township board may act on the zoning ordinance amendment. If a property owner submits a request for a public hearing (via certified mail addressed to the township clerk) the township board must hold a public hearing as discussed above.
6. If no hearings are held, the township board may adopt the zoning ordinance amendment with or without changes by a majority vote of its membership.
7. After the zoning ordinance is adopted, the zoning ordinance amendment must be filed with the township clerk. Within 15 days of the adoption, the zoning ordinance amendment must be published in the newspaper.
8. Subject to the right of referendum, the zoning ordinance amendment takes affect on the 8th day of after publication in the newspaper or otherwise published by the township.

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 Raymond Stanhope	13 Fish Hawk Dr	Amelia Island	FL	32034
013-226-003-10	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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