

*OWOSSO
Planning Commission*



*Regular Meeting
7:00pm, Monday, November 23, 2015
Owosso City Council Chambers*

AGENDA
Owosso Planning Commission
Monday, November 23, 2015 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

CALL MEETING TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

APPROVAL OF AGENDA: November 23, 2015

APPROVAL OF MINUTES: October 26, 2015

COMMUNICATIONS:

1. Staff memorandum
2. PC minutes from October 26, 2015
3. Rezoning applications for addresses listed under public hearing section
4. Public hearing notices for addresses listed under public hearing section
5. Site plan application
6. Site plan staff review
7. Section 38-379 of the Owosso ordinance - accessory language for swings

COMMISSIONER/PUBLIC COMMENTS:

PUBLIC HEARINGS:

1. 820 E. Main Street rezoning
2. 401 E. Howard Street rezoning
3. 514 Division Street rezoning
4. 515 S. Saginaw Street rezoning

SITE PLAN REVIEW:

Division Street – Trebor/Selleck Property

BUSINESS ITEMS:

1. Amending Section 38-379 to add swing set as an accessory item.

ITEMS OF DISCUSSION:

COMMISSIONER/PUBLIC COMMENTS:

ADJOURNMENT: ***Next meeting will be Monday, December 14, 2015***

Commissioners, please call Sue at 725-0544 if you will be unable to attend the meeting on Monday, November 23, 2015

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500]. The City of Owosso website is: www.ci.owosso.mi.us

Affirmative Resolutions
Owosso Planning Commission
Monday, November 23 2015 at 7:00 p.m.
Council Chambers – Owosso City Hall
Owosso, MI 48867

Resolution 151123-01

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the agenda of November 23, 2015 as presented.

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-02

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the minutes of October 26, 2015 as presented.

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-03

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the zoning changes for 820 E. Main Street from RM-1 to B-4.

OR

The Owosso Planning Commission rejects the zoning changes for 820 E. Main Street from RM-1 to B-4 based on the following:

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-04

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the zoning changes for 401 E. Howard Street from I-2 to I-1.

OR

The Owosso Planning Commission rejects the zoning changes for 401 E. Howard Street from I-2 to I-1 based on the following:

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-05

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the zoning changes for 514 Division Street from 1-2 to 1-1.

OR

The Owosso Planning Commission rejects the zoning changes for 514 Division Street from 1-2 to 1-1 based on the following:

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-06

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the zoning changes for 515 S. Saginaw Street from I-2 to I-1.

OR

The Owosso Planning Commission rejects the zoning changes for 515 S. Saginaw Street from I-2 to I-1 based on the following:

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-07

Motion: _____
Support: _____

The Owosso Planning Commission hereby approves the application for site plan review for 401 E. Howard Street as applied and attached hereto in plans dated November 20, 2015.

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

OR

Motion: _____
Support: _____

The Owosso Planning Commission hereby denies the application for site plan review for 401 E. Howard Street as applied and attached hereto in plans dated November 20, 2015 based on the following criteria:

-

Ayes: _____
Nays: _____
Approved: ____ Denied: ____

Resolution 151123-08

Motion: _____
Support: _____

The Owosso Planning Commission hereby recommends the Owosso City Council amend the following ordinance, adding the following language to Section 38-379 Accessory buildings to the *Owosso Code of Ordinances*:

(3) A swing set shall be considered an accessory item and shall not be located in the front yard.

Resolution 151123-09

Motion: _____
Support: _____

The Owosso Planning Commission hereby adjourns the November 23, 2015 meeting, effective at _____pm.

Ayes: _____
Nays: _____
Approved: ____ Denied: ____



MEMORANDUM

301 W. MAIN ▪ OWOSSO, MICHIGAN 48867-2958 ▪ WWW.CI.OWOSSO.MI.US

DATE: November 19, 2015

TO: Chairman Wascher and the Owosso Planning Commission

FROM: Susan Montenegro, asst. city manager/director of community development

RE: Planning Commission Meeting: November 23, 2105

The planning commission shall convene at 7:00pm on Monday, November 23, 2015 in the city council chambers of city hall.

It will be a busy night as Monday's meeting has four rezoning requests and a continuation of the site plan review for 401 E. Howard Street. I strongly encourage you to drive by each site and familiarize yourself with the properties.

Additionally, I have added the swing set language to section 38.379, accessory buildings from the code of ordinances for your review. My hope is to finalize this tonight and then bring to city council for review and passage.

Please **RSVP for the meeting.** Feel free to contact me at 989.725.0544 if you have questions.

Sue

OWOSSO PLANNING COMMISSION
Monday October 26, 2015 – 7:00 p.m.
City Hall Council Chambers
301 W. Main St.
Owosso, MI 48867

CALL TO ORDER: Chairman Washer called the meeting to order at 7:03 p.m.

PLEDGE OF ALLEGIENCE: Was recited by all present.

ROLL CALL: Was taken by Recording Secretary Denice Grace.

MEMBERS PRESENT: Chairman Bill Wascher, Vice Chair Craig Weaver, Commissioner Mike O’Leary, Commissioner Brent Smith, Commissioner Frank Livingston, Commissioner Garfield Warren, Commissioner Michelle Collison, Commissioner Janae Fear.

MEMBERS ABSENT: Commissioner Tom Taylor.

OTHERS PRESENT: Susan Montenegro - Assistant City Manager and Director of Community Development, Justin Horvath and Brent Jones - Shiawassee Economic Development Partnership, Jed Dingsens - Architect, Robert Selleck & Carrie Reid Hoag of Trebor Enterprises.

APPROVAL OF AGENDA: **COMMISSIONER LIVINGSTON MADE THE MOTION TO APPROVE THE AGENDA WITH THE ADDITION OF THE PUBLIC HEARING ADVANCED EYECARE FOR OCTOBER 26, 2015, SUPPORTED BY COMMISSIONER O’LEARY, AYES ALL, MOTION CARRIED.**

APPROVAL OF MINUTES: **COMMISSIONER LIVINGSTON MADE THE MOTION TO APPROVE THE MINUTES FOR SEPTEMBER 28, 2015, SUPPORTED BY COMMISSIONER WEAVER, AYES ALL, MOTION CARRIED.**

COMMUNICATIONS:

- 1. Staff Memorandum
- 2. Planning Commission minutes from September
- 3. Site Plan Application
- 4. Site Plan staff review
- 5. Lot language example- various cities
- 6. Accessory language example- swing sets

COMMISSIONER/PUBLIC COMMENTS:

Chairman Wascher welcomed Michelle Collison to the Planning Commission Board.

PUBLIC HEARINGS: The rezoning of 117 S. Shiawassee St. Owosso from RM-2 Multiple-Family Residential Highrise District to B-1 Local Business District.

Dr. David Duryea from Advanced Eyecare asked the Commission to rezone 117 South Shiawassee Street. This particular parcel of land was purchased by Dr. Duryea and has since had the house demolished. The goal for this parcel is to combine it with the lot immediately to the south and construct a new office building and parking lot.

MOTION BY COMMISSIONER O’LEARY, SUPPORTED BY COMMISSIONER LIVINGSTON TO REZONE 117 S. SHIAWASSEE STREET FROM RM-2 MULTIPLE-FAMILY RESIDENTIAL HIGHRISE TO B-1 LOCAL BUSINESS DISTRICT, AYES ALL, MOTION CARRIED.

SITE PLAN REVIEW:

Division Street- Trebor/Selleck Property

Jed Dingens, Architect, spoke to the Commission about the plans Trebor had for fencing possibilities. Assistant City Manager Sue Montenegro has been working with Carrie Ried Hoag and Robert Selleck to work on placing their racks out of the right away to comply with the city’s zoning ordinance. A survey of the land is being done at this time. Ms. Montenegro reminded the Planning Commission that they have the right to modify or waive the fencing requirements according to the language in the zoning ordinance under Section 38-389 (e). Trebor will come back to the Commission in November to further discuss fencing and rezoning and planning commission will make a decision at that time.

BUSINESS ITEMS: None

ITEMS OF DISCUSSION:

1. Swing set zoning language examples.

MOTION BY COMMISSIONER O’LEARY, SUPPORTED BY COMMISSIONER WARREN, TO DEFINE SWING SETS AS AN ACCESSORY ITEM THAT SHALL NOT BE LOCATED IN THE FRONT YARD.

**YEAS: CHAIRMAN WASCHER, COMMISSIONERS LIVINGSTON, O’LEARY, WARREN AND COLLISON.
NAYS: COMMISSIONERS FEAR, WEAVER AND SMITH.
MOTION CARRIED.**

2. Front yard-corner lot definition examples.

Ms. Montenegro looked up corner lot definitions for the cities of Grand Ledge and Marshall which didn’t really add anything to what was previously known. She believes there should be diagrams as well as a written description. The diagrams should fit our current ordinances. Commissioner Wascher stated the addition of images will definitely help but they must match language in the ordinance. Ms. Montenegro will bring the incorporated images to the next meeting for review.

COMMISSIONER/PUBLIC COMMENTS: None

ADJOURNMENT:

MOTION BY COMMISSIONER LIVINGSTON, SUPPORTED BY COMMISSIONER SMITH, TO ADJOURN THE PLANNING COMMISSION MEETING AT 9:01 P.M. AYES ALL, MOTION CARRIED.

Next meeting Monday November 23, 2015.

APPLICATION FOR REZONING

CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FAX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a payment of Three Hundred Dollars (\$300) to the treasurer's office, to cover costs associated with the processing. Checks are to be made out to "City of Owosso".
2. The applicant or his/her representative must be present at the planning commission and city council public hearings for action to be taken on this request.
3. Application must be received by the end of the previous month before planning commission meeting. City council will address the rezoning at the following council meeting after planning commission meeting makes its recommendations for the rezoning.

TO THE OWOSSO CITY COUNCIL:

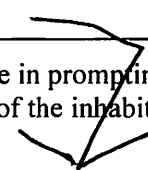
I, (we), the undersigned, do hereby respectfully make application and petition the city council to amend the zoning ordinance and change the zoning map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street address 820 E. MAIN ST.
 Description: (lot, block or metes and bounds) LOTS 78 AND 79 OF THE PLAT OF STAFFORD, GARDNER AND TRANKLE'S CENTRAL ADDITION TO THE CITY OF OWOSSO.
 Frontage in feet 88' Depth in feet 88'

2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
Michael J. Kovich - 1940 BRIARCLIFF BLVD., OWOSSO, MI 48867
989-723-6891

3. ZONING REQUEST Current zoning RESIDENTIAL Requested zoning COMMERCIAL
 Proposed use of the property FUTURE COMMERCIAL SALE.
The trend clearly appears to be leaning towards commercializing
properties within THIS BLOCK OF EAST MAIN STREET.

Indicate why, in your opinion, the requested change is consistent with the ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the city of Owosso:



The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

Michael J. Kovich
 (Signature of applicant)

1940 BRIARCLIFF BLVD, OWOSSO, MI
 (Address) 48867

(Signature of co-applicant)

989 723-6891
 (Phone)

- Legal representative
- Owner
- Option to purchase



Kaye Grubba - Shiawassee Co. DDU

3112959

Page: 1 of 2
11/25/2003 12:17P

L-1051 P-399

LF298-04
R298-04

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 25 day of NOVEMBER, 2003,
by first party, Grantor, WILLIAM J. KOVICH, A SINGLE MAN
whose post office address is 820 E. MAIN ST, OWOSSO, MICHIGAN 48867
to second party, Grantee, WILLIAM J. KOVICH AND MICHAEL J. KOVICH
whose post office address is 820 E. MAIN ST, OWOSSO, MICHIGAN 48867

WITNESSETH, That the said first party, for good consideration and for the sum of
ZERO DOLLARS Dollars (\$0.00)
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release
and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first
party has in and to the following described parcel of land, and improvements and appurtenances thereto in
the County of SHIAWASSEE, State of MICHIGAN to wit:

LOTS 78 AND 79 OF THE PLAT OF STAFFORD, GARDNER AND TRANKLE'S
CENTRAL ADDITION TO THE CITY OF OWOSSO, SHIAWASSEE COUNTY,
MICHIGAN.

RECEIVED NOV 25 2003

IN WITNESS WHEREOF, The said first party has signed, and sealed these presents the day and year first above written. Signed, sealed and delivered in presence of:

Meredith L. Keating
Signature of Witness

Meredith L. Keating
Print name of Witness

Nancy L. Blair
Signature of Witness

Nancy L. Blair
Print name of Witness

William J. Kovich
Signature of First Party

WILLIAM J. KOVICH
Print name of First Party

William J. Kovich
Signature of First Party

WILLIAM J. KOVICH
Print name of First Party

State of Michigan }
County of Shiawassee }

On November 25, 2003 before me, Amy K. Kohagen
appeared William J. Kovich

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Amy K. Kohagen
Signature of Notary
My commission expires October 17, 2006

Affiant Known X Produced ID
Type of ID MI-20-07-367-625



State of _____ }
County of _____ }

On _____ before me,
appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary

Affiant Known _____ Produced ID
Type of ID _____

(Seal)

William J. Kovich
Signature of Preparer

WILLIAM J. KOVICH
Print Name of Preparer

ml 820 E MAIN ST, OWOSSO, MICHIGAN
Address of Preparer 48867



OFFICIAL NOTICE OF PROPOSED REZONING

A Public Hearing will be held on a proposal to rezone the properties described below at the Owosso City Planning Commission Regular Meeting on Monday, November 23, 2015. Proposed use of the property would be for business.

APPLICANT: #2015-05 Michael Kovich
1940 Briarcliff Blvd.
Owosso, MI 48867

PROPERTY ADDRESS: 401 East Howard Street

PROPOSED REZONING: FROM: RM-1 Residential-Multiple Family District
TO: B-4 General Business District

PROPERTY DESCRIPTION: Parcel number 050-580-000-068-00
LOTS 78 & 79 STAFFORD GARDNER & TRANKLES CENTRAL ADD
EXC N 5' OF LOT 79

LOT SIZE: Frontage 88' Depth 132'

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday,
November 23, 2015. The meeting will be held in the lower level of the
Owosso City Hall at or soon after 7:00 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the clerk's office at city hall or to
Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time
prior to the meeting.

Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager/Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

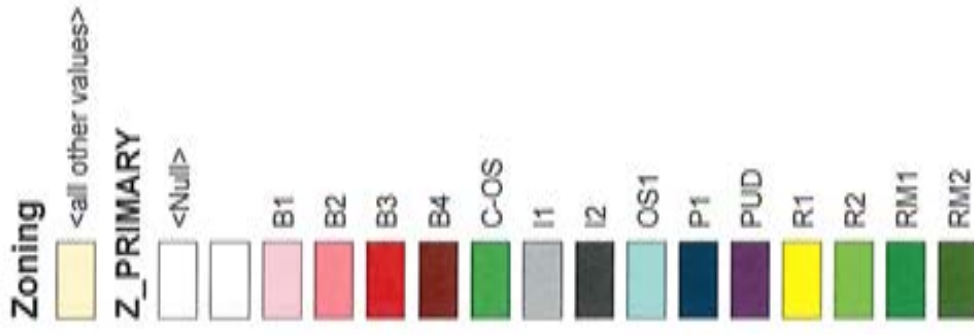
[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us.]

City of Owosso

820 E. Main Street

November 19, 2015

Legend



APPLICATION FOR REZONING
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 401 ~~410~~ E. Howard Street
Description: (lot, block or metes and bounds) E. Howard between Division Street and Hamlin Street
Hexagonal lot at bend in E. Howard St., which also continues into property.
Frontage in Feet 126' Depth in Feet 122' IRREGULAR
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
Carrie Reid Hoag 401 ~~410~~ E. Howard Street 989.723.8145
3. ZONING REQUEST Current Zoning I-1 & I-2 Requested Zoning I-1
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

C.H. X Carrie Reid Hoag
(Signature of Applicant)
B.S. X [Signature]
(Signature of Co-Applicant)

434 E. HOWARD, OWOSSO
(Address) 989-723-8145
(Phone)

- Legal Representative
- Owner
- Option to Purchase

FOR OFFICIAL USE ONLY

Case # _____
Receipt # _____
Date Filed _____
Description Checked _____

Planning Commission Hearing Date _____
Action Taken _____
City Council Hearing Date _____
Action Taken _____

OFFICIAL NOTICE OF PROPOSED REZONING

A Public Hearing will be held on a proposal to rezone the properties described below at the Owosso City Planning Commission Regular Meeting on Monday, November 23, 2015. Proposed use of the property would be for light industrial.

APPLICANT: #2015-08 Bob Selleck and Carrie Hoag
330 Howard Street
Owosso, MI 48867

PROPERTY ADDRESS: 401 East Howard Street

PROPOSED REZONING: FROM: I-2 General Industrial District
TO: I-1 Light Industrial District

PROPERTY DESCRIPTION: Parcel number 050-680-002-003-00
LOTS 7 8 9 BLK 2 (EX AARR R/W) WILLIAMS & LYONS ADD

LOT SIZE: Irregular shaped lot of approximately 0.522 acres

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday,
November 23, 2015. The meeting will be held in the lower level of the
Owosso City Hall at or soon after 7:00 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the clerk's office at city hall or to
Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time
prior to the meeting.

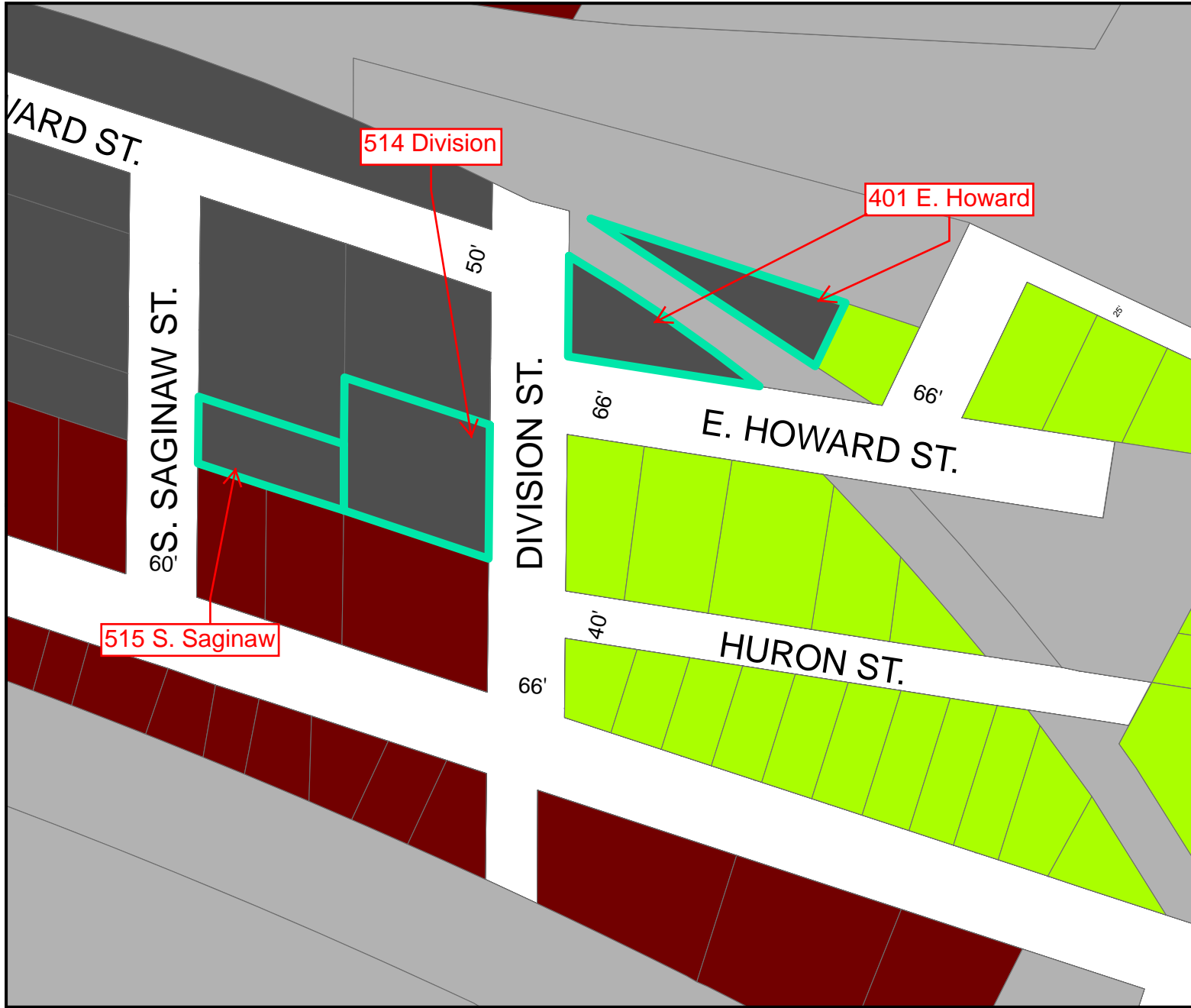
Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager/Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

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City of Owosso

401 E. Howard Street
 514 Division Street
 515 S. Saginaw Street



Legend

Zoning

<all other values>

Z_PRIMARY

<Null>

<Null>

B1

B2

B3

B4

C-OS

I1

I2

OS1

P1

PUD

R1

R2

RM1

RM2

City Parcels 2015 Edition

Tax ID

November 3, 2015



APPLICATION FOR REZONING
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

1. In order that this application may be processed, the applicant must completely fill in the application and make a non-refundable payment of Three Hundred Dollars (\$300) to the Treasurer's Office, to cover costs associated with the processing.
2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 514 Division Street
Description: (lot, block or metes and bounds) East side of Division Street between E. Howard Street and Corunna Avenue
Frontage in Feet 56' Depth in Feet 117'-6"
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
Robert "Bob" Selleck 514 Division Street 989.798.7019
3. ZONING REQUEST Current Zoning I-2 Requested Zoning I-1
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

B.S.
X [Signature]
(Signature of Applicant)
C.# [Signature]
(Signature of Co-Applicant)

330 HOWARD ST
(Address) 989-723-8145
(Phone)

- Legal Representative
- Owner
- Option to Purchase

FOR OFFICIAL USE ONLY

Case # _____
Receipt # _____
Date Filed _____
Description Checked _____

Planning Commission Hearing Date _____
Action Taken _____
City Council Hearing Date _____
Action Taken _____

OFFICIAL NOTICE OF PROPOSED REZONING

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APPLICANT: #2015-06 Bob Selleck
 330 Howard Street
 Owosso, MI 48867

PROPERTY ADDRESS: 514 Division Street

PROPOSED REZONING: FROM: I-2 General Industrial District
 TO: I-1 Light Industrial District

PROPERTY DESCRIPTION: Parcel number 050-651-018-003-00
 LOTS 5 & 8 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY

LOT SIZE: Frontage 114' and depth of 122'

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday, November 23, 2015. The meeting will be held in the lower level of the Owosso City Hall at or soon after 7:00 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the clerk's office at city hall or to Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time prior to the meeting.

Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager/Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

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APPLICATION FOR REZONING
CITY OF OWOSSO

301 W. Main Street, Owosso, Michigan 48867, TX 989-725-0540, FX 989-723-8854

Note to Applicants:

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2. The applicant or his/her representative must be present at the Planning Commission and City Council public hearings for action to be taken on this request.

TO THE OWOSSO CITY COUNCIL:

I, (we), the undersigned, do hereby respectfully make application and petition the City Council to amend the Zoning Ordinance and change the Zoning Map as hereinafter requested,

1. PROPERTY TO BE REZONED: Street Address 515 S. Saginaw Street
Description: (lot, block or metes and bounds) West side of S. Saginaw Street between E. Howard Street and Corunna Avenue
Frontage in Feet 105' Depth in Feet 117'-6"
2. PROPERTY OWNERSHIP: (Name, Address, and Phone Number)
Robert "Bob" Selleck 515 S. Saginaw Street 989.798.7019
3. ZONING REQUEST Current Zoning I-2 Requested Zoning I-1
Proposed Use of the Property Industrial Production, Handling and Storage

Indicate why, in your opinion, the requested change is consistent with the Ordinance in promoting and protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Owosso:

Rezoning property from I-2 to I-1 would allow for a usage more consistent with current business operations. This would also create a more unified usage and zoning designation across different properties on campus. Campus wide obscure screening and product handling logistics requirements under I-1 become more consistent and reflective of uses allowed by Planning Commission indicated in Aug. 27, 2001 Planning Commission resolution.

The above information has been submitted in support of the rezoning and is accurate and truthful to the best of our knowledge.

B.S. X [Signature]
(Signature of Applicant)
C.H. X [Signature]
(Signature of Co-Applicant)

330 HOWARD ST
(Address) 989-723-8145
(Phone)

- Legal Representative
- Owner
- Option to Purchase

FOR OFFICIAL USE ONLY

Case # _____
Receipt # _____
Date Filed _____
Description Checked _____

Planning Commission Hearing Date _____
Action Taken _____
City Council Hearing Date _____
Action Taken _____

OFFICIAL NOTICE OF PROPOSED REZONING

A Public Hearing will be held on a proposal to rezone the properties described below at the Owosso City Planning Commission Regular Meeting on Monday, November 23, 2015. Proposed use of the property would be for light industrial.

APPLICANT: #2015-07 Bob Selleck
 330 Howard Street
 Owosso, MI 48867

PROPERTY ADDRESS: 515 South Saginaw Street

PROPOSED REZONING: FROM: I-2 General Industrial District
 TO: I-1 Light Industrial District

PROPERTY DESCRIPTION: Parcel number 050-651-018-004-00
 LOT 7 BLK 18 A L WILLIAMS ADD INCLUDING 1/2 CLOSED ALLEY

LOT SIZE: Frontage 57' and depth of 122'

MEETING INFORMATION: Owosso City Planning Commission regular meeting on Monday,
 November 23, 2015. The meeting will be held in the lower level of the
 Owosso City Hall at or soon after 7:00 p.m.

WRITTEN COMMENTS: Written comments may be submitted to the clerk's office at city hall or to
 Susan Montenegro at susan.montenegro@ci.owosso.mi.us any time
 prior to the meeting.

Further information on this case is on file in the Community Development Office for your review.

Susan Montenegro
Assistant City Manager/Director of Community Development
989.725.0544
susan.montenegro@ci.owosso.mi.us

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us.]

DESCRIPTION:

Lots 1, 2, 3, 4, 5 ADDED.

LEGEND:

- ⊕ = BENCHMARK
- = REROD & CAP #24622
- ⋈ = GUY WIRE
- ⊘ = UTILITY POLE
- ⊕ = CATCH BASIN
- ⊕ = STORM MANHOLE
- ⊕ = TRAFFIC SIGNAL POLE
- ⊕ = SIGN POST
- ⊕ = SANITARY SEWER MANHOLE
- ⊕ = MOOT ELECTRIC MANHOLE
- ⊕ = RAILROAD CROSSING SIGN
- ⊕ = END OF CAP
- ⊕ = RECREATAL
- ⊕ = WELL HEAD
- ⊕ = SATELLITE DISH
- ⊕ = DECIDUOUS TREE
- ⊕ = PINE TREE
- ⊕ = SHRUB TREE
- ⊕ = MOOT ELECTRIC MANHOLE
- ⊕ = OVERHEAD UTILITY LINE
- ⊕ = WOOD FENCE
- ⊕ = STORM SEWER LINE
- ⊕ = SANITARY SEWER LINE
- ⊕ = WATER MAIN
- ELEVATION DATUM NAVD 1988



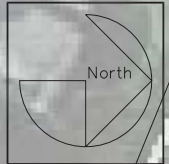
1 SITE PLAN
C-2 SCALE 1" = 20'-0"

TREBOR

SITE PLAN

SHEET: C-2

Dingens ARCHITECTS
 jed@dingensarchitects.com
 Jed Dingens, AIA
 1104 E. King St.
 Corunna, MI 48817
 (984) 743-6004
 (984) 277-5919 Cell



DATE: November 20, 2015

Trebor Industries LLC
 Carrie Reid Hoag, Landowner Bob Selleck, Desig. Agent
 434 E. Howard Street Owosso, MI 48867

City of Owosso Planning Commission Staff Report

MEETING DATE: November 23, 2015

TO: Planning commission

FROM: Susan Montenegro, asst. city manager/director of community development

SUBJECT: Site plan approval request for 401 E. Howard Street

PETITIONER’S REQUEST AND BACKGROUND MATERIALS

Location 401 E. Howard and Division Street –
 parcels 050-680-002-003-00 and 050-680-001-002-00
 Corner of Division and E. Howard Street

Planning background

Surrounding land uses and zoning

	LAND USE	ZONING
North	Industrial	I-1 Light Industrial
East	Residential	R-2
South	Residential	R-2
West	Industrial	I-2 General Industrial

Comparison chart

	EXISTING	PROPOSED
Zoning	I-1 and I-2	Seeking I-1 on both lots
Gross lot area	65,365.55 square feet	
Setbacks- Front Side Rear	I-1 is 40’ I-2 is 60’ (q) applies to both I-1 is 20’ I-2 is 30’ (r) applies to both (r, s) applies to both	20’ for both parcels used as combined lot 20’ for both parcels used as combined lot Have place a 4-6’ berm along the rear of lot
Parking	None	None

(q) Off-street parking for visitors, over and above the number of spaces required under [section 38-380](#), may be permitted within the required front yard provided that such off-street parking spaces are not located within twenty (20) feet of the front lot line.

(r) No building shall be located closer than fifty (50) feet to the outer perimeter (property line) of such district when said property line abuts any residential district.

(s) All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence, not less than six (6) feet high, or with a chain link type fence and a greenbelt planting so as to obscure all view from any adjacent residential, office or business district or from a public street. Loading areas shall be provided in accordance with [section 38-382](#).

Utilities –

1. This plan does not impact the use of existing water or sewer mains along the property. However;
4-inch water main runs along the property on E. Howard to Division Street, then a 4-inch water main running North from Division Street where it intersects a 6-inch water main continuing west on E. Howard.
2. 8-inch sanitary sewer main runs along the property on E. Howard, where it intersects a 24-inch sanitary sewer main at Division Street and continues west along E. Howard.
3. Note: cannot build on the sanitary sewer main that feed the rail road yard.

Engineering –

1. The plan appears to not impact sanitary or watermain so I have no comment on them.
2. The storm runoff is controlled by a series of inter-connected catch basins that outlet to a city catch basin on Division St, near the curve. The City will provide a 6" diameter SDR 26 sewer connection from the catch basin to the ROW line. The developer will be responsible for connecting to that outlet. The designer should perform a hydraulic analysis of the internal drainage system to make sure it will service the area. Sewer material should be commercial grade such as SDR 26 PVC pipe. If the area is not paved, then the catch basins must have some type of mechanism to safe guard and not allow sediment to enter the city system. All catch basins must have sumps. In addition to the sumps, we should require a weir in the last structure nearest Division St. I can provide a detail of a weir upon request.
3. No elevations are given. The developer is responsible to contain all storm drainage on-site and into the drainage system.
4. I leave comment regarding the bollard fence (?) and parking etc. with Chuck.

Building –

1. For the I-2 area the front yard setback should be 60 feet. (Sec 38-351)
2. Storage and off street loading should not be in the front yard setbacks. Plans do not show the 10'x50' area for off street loading. (Sec 38-382)
3. The I-1 area requires a 4'6" to 8' totally obscured wall. None are showed on the plans. (Sec 38-292 (2))
4. Also under General Provisions, Article xvii requires a 4'6" to 8' wall or fence for the open storage areas, loading or unloading areas and service areas. None are showed on the site plan. (38-389)
5. Front yard fences for industrial areas are allowed. Any fence higher than 4' must be setback 2' for each additional foot about 4'. And all front yard fences must be black vinyl chain link or decorative in nature. (Sec 38-393 (d))
6. There is no off street parking details. (Sec 38-380)
7. Is the 4' high berm to be a requirement of the site plan?

FEED TO RR YARDS

DIVISION & HOWARD

HOWARD

6' DI

8" C.I.

4" C.I.

#1

#2

39'-6" NORTH
6'-0" WEST
FROM MANHOLE

38'-0" NORTH
9'-0" WEST
FROM MANHOLE

MANHOLE

SUPPLEMENTAL FROM MANHOLE
@ HOWARD & PARK
#1 : 48'-6" NORTH / 607'-0" EAST
#2 : 50'-0" NORTH / 610'-0" EAST

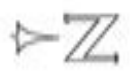
14'-6" SOUTH
256'-0" WEST

4'-0" SOUTH

4" C.I.

DIVISION

E. HOWARD



MEASUREMENTS FROM HDY.

City of Owosso Zoning Code

Sec. 38-379. - Accessory buildings.

Accessory buildings, except as otherwise permitted in this chapter, shall be subject to the following regulations:

- (1) Where the accessory building is structurally attached to a main building, it shall be subject to, and must conform to, all regulations of this chapter applicable to main building.
- (2) Accessory buildings shall not be located in any required yard, except a rear yard.
- (3) A swing set shall be considered an accessory item and shall not be located in the front yard.**
- (4) An accessory building shall not occupy more than twenty-five (25) percent of a required rear yard, plus forty (40) percent of any nonrequired rear yard, provided that in no instance shall the accessory building(s) exceed the ground floor area of the main building.
- (5) No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than three (3) feet to any side or rear lot line.

In those instances where the rear lot line is coterminous with an alley right-of-way the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall an accessory building be located within a dedicated easement right-of-way.

- (6) No detached accessory building in R-1, R-2, RT-1, RM-1, RM-2, OS-1, B-1 and P-1 districts shall exceed one (1) story or fourteen (14) feet in height.

Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts, subject to board of appeals review and approval if the building exceeds one (1) story or fourteen (14) feet in height.

- (7) When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, the building shall not project beyond the front yard setback required on the lot in rear of such corner lot. In no instance shall an accessory building be located nearer than nineteen (19) feet to a street right-of-way line.
- (8) On residential lots of less than seventeen thousand five hundred (17,500) square feet, only two (2) accessory buildings shall be permitted. On residential lots seventeen thousand five hundred (17,500) square feet or greater, only three (3) accessory buildings shall be permitted. These limits shall not apply to wind energy systems, satellite dishes, or dog pens.
- (9) All recreational vehicles, boats, snowmobiles, jet skis and comparable devices along with the trailers for these items stored on individual lots shall respect the requirements of this section applicable to accessory buildings, except that side yard storage is permitted against the wall of a principal structure when these items are beneath a legal conforming carport structure or are setback at least three (3) feet from the property line and eleven (11) feet from a principal building of an adjoining parcel. Storage in a driveway is permitted when the stored item can be placed entirely behind the front wall of the principal structure.
- (10) Regulations for dish-type satellite receiving antennae and similar structures (hereinafter referred to as satellite dishes):
 - a. Ground mounted:
 1. In residential districts a satellite dish must be located in the rear yard. If a usable satellite signal cannot be obtained in a rear yard then a side yard location may be selected if all other provisions of this section are able to be enforced.

2. In all commercial and industrial districts, a satellite dish may be located on a rear or side lot if all other conditions of the ordinance can be followed, and if the side yard of the commercial or industrial lot is not adjacent to a residential district or detached single family use.
 3. No satellite dish including its concrete base, slab, a similar substructure or projected portion shall be constructed less than eight (8) feet from any property line or easement of the rear or side yard, or be within twenty-five (25) feet from a right-of-way line of a public street.
 4. In residential districts no satellite dish shall be constructed without appropriate evergreen landscaping to reasonably conceal said satellite dish from view. The planting shall be completed prior to final approval by the building inspector. Vegetative screening shall not be required where reception of a usable satellite signal would be adversely affected.
 5. In residential districts a satellite dish shall not exceed a grade height of fourteen (14) feet. In all other districts the grade height limit is twenty (20) feet.
 6. All structural support shall be of corrosion resistant metal.
 7. A satellite dish shall be designed to withstand a wind force of seventy-five (75) miles per hour without the use of supporting guy wires.
 8. The color of the satellite dish cannot be contrasting with its surroundings or setting. A contrasting color is one that does not blend with the background as defined by the normal senses.
 9. In residential districts a satellite dish cannot be used as a sign.
 10. The number of satellite dishes over four (4) feet in diameter is limited to one (1) on residential lots under one (1) acre in size.
 11. No satellite dish (ground or roof mounted) shall be linked physically or electronically to a receiver which is not located on the same lot, premises, or parcel of land as is the satellite dish.
 12. Wiring beneath a satellite dish and receiver shall be installed according to the specifications of the National Electrical Code.
 13. A satellite dish must be bonded to a grounding rod.
 14. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
- b. Roof-mounted:
1. In the event that a usable satellite signal cannot be obtained by locating the antennae in the rear or side yard, such antennae may be placed on the roof of a primary or accessory structure.
 2. Satellite dishes shall be mounted directly upon the roof of a primary or accessory structure or on a ground anchored pole projecting through an eave of the structure. Satellite dishes shall not be mounted upon appurtenances such as chimneys, trees, or spires.
 3. For residential uses, a satellite dish shall not exceed a height of more than three (3) feet above the roof upon which it is mounted.
 4. In residential uses, a satellite dish shall not exceed eight (8) feet in diameter.
 5. A satellite dish shall be designed to withstand a wind force of eighty-five (85) miles per hour without the use of supporting guy wires.

6. Any driving motor exceeding fifty (50) volt power design shall require an electrical permit.
 7. A satellite dish must be bonded to a grounding rod.
- (11)** A small wind energy system shall be an accessory building in all zoning districts subject to the following requirements:
- a. Setbacks and location, as measured from the furthest outward extension of all moving parts.
 1. A STWES shall be set back a distance equal to its total height plus an additional five (5) feet from any occupied building, street or highway right-of-way; any overhead utility lines; all property lines; and any existing guy wire, anchor or small wind energy tower on the property.
 2. A SSWES shall be a minimum of fifteen (15) feet from the property line, public right-of-way, public easement, or overhead utility lines if mounted directly on a roof or other elevated surface of a structure.
 3. A SSWES shall not be affixed to the roof or wall of a structure facing a street.
 4. A STWES shall not be located in any front yard except for properties zoned and used for industrial purposes.
 5. The lowest extension of any blade or other exposed moving component of a WES shall be a least fifteen (15) feet above the ground as well as any outdoor surface intended for human use.
 6. Setbacks may be reduced to not less than twenty (20) feet if the applicant provides a registered engineer's certification that the WES is designed to collapse within a zone smaller than the height of the tower, yet still remain within the owner's property or the applicant acquires an easement to meet the required setback distance.
 - b. Access.
 1. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
 2. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of eight (8) feet above the ground.
 - c. Electrical wires. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the wind tower wiring, the wind tower wiring to the disconnect junction box, and the grounding wires shall be located underground.
 - d. Lighting. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration (FAA). Lighting of other parts of the small wind energy systems, such as appurtenant structures, shall be limited to that required for safety purposes, and shall be reasonably shielded from abutting properties.
 - e. Appearance, color, and finish. The wind generator and wind tower shall remain painted or finished the color or finish that was originally applied by the manufacturer.
 - f. Signs. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, wind tower, building, or other structure associated with a small wind energy system visible from any public road shall be prohibited.
 - g. Code compliance. A small wind energy system including wind tower shall comply with all applicable construction and electrical codes.

- h. Utility notification and interconnection. Small wind energy systems that connect to the electric utility shall comply with the public service commission regulations.
- i. Small wind energy systems may be attached to any building, including guy wires, provided the city approves the submittal of documentation sealed by an engineer licensed by the State of Michigan showing the proposed connection of the system to the structure and whether any additional reinforcing is required. The city may not be found liable for damage caused by noise or vibration created by the system.
- j. Meteorological towers shall be permitted under the same standards, permit requirements, restoration requirements, and permit procedures as a small wind energy system.
- k. Each property is eligible for two (2) small wind energy systems only, except properties of at least one (1) contiguous acre may be allowed one (1) additional system for each additional one-half ($\frac{1}{2}$) acre or portion thereof.
- l. A small wind energy system that is out-of-service for a continuous six-month period will be deemed to have been abandoned. The zoning administrator may issue a notice of abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The owner shall have the right to respond in writing to the notice of abandonment setting forth the reasons for operational difficulty and providing a reasonable timetable for corrective action, within thirty (30) days from the date of the notice. The administrator shall withdraw the notice of abandonment and notify the owner that the notice has been withdrawn if the owner provides information that demonstrates the wind energy system has not been abandoned.
- m. If the small wind energy system is determined to be abandoned, the owner of a small wind energy system shall remove the wind generator from the wind tower at the owner's sole expense within ninety (90) days of the date of the notice of abandonment. If the owner fails to remove the wind generator from the wind tower, the administrator may pursue a legal action to have the wind generator removed at the owner's expense.
- o. Noise emanating from a small wind energy system shall not exceed fifty (50) dB(A) as measured from any offsite habitable structure or fifty-five (55) dB(A) to any lot line.
- p. Wind energy systems shall not interfere with communication systems such as radio, telephone, television, satellite, emergency communications, or Wi-Fi.
- q. Shadow flicker created by a STWES shall not exceed thirty (30) hours per year as observed on the windows or outdoor spaces (such as porches, patios, and decks) of any offsite building intended for human habitation or occupation. The zoning administrator may request a study to demonstrate the impact of a WES proposal.
- r. Public inquires and complaints by an aggrieved property owner that alleges that a STWES or SSWES does not meet noise or shadow flicker requirements shall be processed as follows:
 1. The property owner shall notify the city in writing regarding the concerns related to noise and/or shadow flicker.
 2. If the city zoning administrator or engineer deem the complaint sufficient to warrant an investigation, the city will request the aggrieved party to deposit funds in an amount sufficient to pay for a noise level test conducted by a certified acoustic technician and/or a shadow flicker study as performed by a professional.
 3. If the tests(s) show that the WES does not exceed the noise or shadow flicker requirements of this chapter, the city will use the deposit to pay for the test.
 4. If the WES is violating this chapter's noise requirements, the owner(s) shall reimburse the city for the testing and take immediate action to bring the WES into compliance, include ceasing operation of the WES till the violations are corrected. The city will refund the deposit to the aggrieved property owner.

(Code 1977, § 5.79; Ord. No. 435, 9-16-85; Ord. No. 439, § 1, 1-6-86; Ord. No. 503, § 1, 3-15-93; Ord. No. 572, § 1, 9-6-98; Ord. No. 728, §§ 2—4, 2-6-12)