

**NOTICE OF PUBLIC MEETING
COUNCIL CHAMBERS-VILLAGE HALL
102 South Huron Avenue
Phone: 231-436-5351**

7:00 PM

June 04, 2015

**AGENDA-REGULAR MEETING
MACKINAW CITY VILLAGE COUNCIL**

- I. Roll Call**
- II. Pledge of Allegiance**
- III. Agenda Approval**
- IV. Correction and Approval of Minutes: Special/Closed Minutes of May 21, 2015
Regular Minutes of May 21, 2015**
- V. Public Comments**
- VI. Communication/Petitions:**
- VII. Manager Report**
- VIII. President's Report/Department Reports**
- IX. Committee Reports:
Planning Commission Minutes-April 23, 2015-Public Hearing and Reg. Meeting**
- X. Old Business:
A. MERS Health Care Savings Program Agreement**
- XI. New Business:
A. Site Plan Review Application-2015-SP-003 (Informational purposes only)
B. Planning Commission Resignation
C. Disolution of Historic Commission
D. Rezoning of Parcel # 012-V07-002-031-01, 503 E. Etherington St., from R1 to B2
by The Estate of Rosalie O'Brien
E. Tree Board Appointment
F. Closed Session-
To review a confidential legal opinion with the Village attorney pursuant to Section 8(h) of the Open Meetings Act relating to continued due diligence concerning the Village manager candidate.**
- XII. Scheduling of Committee Meetings**
- XIII. Accounts Payable**
- IX. Adjourn
FINANCE AND HUMAN RESOURCE SUBCOMMITTEE: REVIEW BILLS @ 6:45 PM**

UNAPPROVED
MINUTES SPECIAL COUNCIL MEETING
MACKINAW CITY

6:30 P.M.

May 21, 2015

I. ROLL CALL

President Robert R. Heilman called the meeting to order and with the following Trustees present –Belinda Mollen, Scott Newman, Tom Chastain, Robert Glenn, Richard Perlick and Paul Michalak. Also present were David White-Interim Manager, Pat Wyman-Chief of Police, Fred Thompson-Fire Chief and Lana Jaggi-Clerk

II. Due to the Regular meeting following the Special Meeting Pres. Heilman delayed Pledge Of Allegiance until that time.

III. PUBLIC COMMENTS-None

IV. A. CLOSED SESSION

1. Discussion with Attorney Regarding Litigation

6:32 P.M.

Motion Mollen seconded Chastain to go into closed session to discuss legal litigation. Voice vote, Motion carried unanimously.

6:48 P.M.

Motion Mollen seconded Glenn to go back into the Special meeting. Voice vote, Motion carried unanimously.

V. ADJOURNMENT-6:49 P.M.

Respectfully submitted,

Robert R. Heilman; President

Lana Jaggi; Clerk

UNAPPROVED
MINUTES REGULAR COUNCIL MEETING
MACKINAW CITY

7:00 P.M.

May 21, 2015

- I. Roll Call**
President Robert R. Heilman called the meeting to order and with the following Trustees present –Belinda Mollen, Scott Newman, Tom Chastain, Robert Glenn, Richard Perlick and Paul Michalak. Also present, David White-Interim Manager, Lana Jaggi-Clerk, Patricia B. Pepler-Treasurer Patrick Wyman- Chief of Police Fred Thompson-Zoning/Fire Chief, Mike Karll-DPW Superintendent. Excused absent-Pat Rivera WW/S Superintendent and Chris West-Marina Manager
- II. Pledge of Allegiance**
- III. Agenda Approval**
Motion Glenn seconded Chastain to approve the agenda as presented with addition, New Business, F. Vietnam Memorial Wall. Voice vote motion carried unanimously.
- IV. Correction and Approval of Minutes**
Motion Mollen seconded Chastain to approve the minutes of the regular meeting of May 07, 2015 as presented. Voice vote, motion carried unanimously.
- V. Public Comments:**
Kay Stemkoski-Village Resident
- VI. Communication/Petitions**
1. Final Raptor Report
2. Thank You from NLEA
- VII. Manager Report as submitted.**
Motion Chastain seconded Perlick to adjust receptionist current wage with a 2% Increase retro to March 1, 2015. Roll call: Yeas-Mollen, Newman, Chastain, Heilman, Glenn, Perlick, Michalak. Motion carried.
- VIII. President's Report/Department Head Reports**
President's Report: None
Department Head Reports as submitted
- IX. Committee Reports-**
Public Safety Subcommittee-Trustee Perlick Chair, as submitted
Facilities and Streets Subcommittee-Trustee Mollen Chair, as submitted
Park and Recreation Subcommittee-Trustee Newman, as submitted

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X. Old Business:

A. Budget Amendment 2014-2015

Motion Mollen seconded Glenn to authorize the transfer of \$21,385.36 from General Fund to Rec Complex Fund to cover a cash deficit in that fund for the Fiscal Year Ending February 28, 2015. Roll Call: Yeas- Newman, Chastain, Heilman, Glenn, Perlick, Michalak, Mollen. Motion carried.

XI. New Business:

A. DDA

Motion Mollen seconded Newman to appoint Chris Shepler to fulfill DDA board vacancy term. Voice vote, motion carried unanimously.

Motion Mollen seconded Newman to approve the reestablishment of DDA staggered terms as follows: M. Harrison, P. McGaffin, J. Magers-2016, L. Bryant, L. Pallagi, C. Heilman-2017, C. Shepler, N. Pettengill-2018. Voice vote, motion carried unanimously.

B. Village Attorney Appointment

Motion Mollen seconded Glenn to reappoint Ken Lane, Clark Hill PLC as the Village Attorney for one year. Voice vote, motion carried unanimously.

C. Planning Commission

Motion Chastain seconded Newman to keep the Planning Commission Board to seven (7) Members. Voice vote, motion carried unanimously.

Motion Mollen seconded Newman to approve the reestablishment of Planning Commission Staggered terms as follows: M. Clark, P. Allers, R. Mann-2015, R. Dye, Board Vacancy,-2016, M. Cooley, E. Taylor-2017. Voice vote, motion carried unanimously.

D. MERS Resolution

Motion Mollen seconded Glenn to waive the reading of the MERS Resolution as presented. Voice vote, motion carried unanimously.

Motion Mollen seconded Newman to approve the adoption of MERS Resolution for PEHP as presented. Roll Call: Yeas-Chastain, Heilman, Glenn, Perlick, Michalak, Mollen, Newman. Motion carried.

E. Special Event Application 2015- SE-046 Forgotten Eagles/American Legion

Motion Mollen seconded Newman to approve special event application 2015-SE-046 Forgotten Eagles/American Legion Post 159 for June 27, 2015 contingent upon receiving Proof of Insurance from American Legion Post 159. Voice vote, motion carried unanimously.

UNAPPROVED
MINUTES REGULAR COUNCIL MEETING
MACKINAW CITY

7:00 P.M.

May 21, 2015

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F. Vietnam Memorial Wall

Motion Mollen seconded Chastain to approve the special event application 2015-SE-048 Vietnam Travelling Memorial Wall as presented for May 22, 23, 2015 contingent upon signage placement approval from Chief Wyman and David White. Voice vote, motion carried unanimously.

**XII Scheduling of Subcommittee meetings:
Council of the Whole Work Session
Thursday June 11, 2015 at 4:00 pm
1. Priority Tiers**

III. Accounts Payable

Motion Newman seconded Glenn to pay accounts payable for May 21, 2015 in the amount of \$113,338.69. Yeas- Heilman, Glenn, Perlick, Michalak, Mollen Newman, Chastain. Motion carried.

IX. Adjournment: 8:10 PM

Respectfully submitted,

Robert R. Heilman; President

Lana Jaggi; Clerk

To: Mackinaw City Council
From: David M. White, Interim Village Manager
Date: May 29, 2015
Re: Manager Report for June 4, 2015, Council Meeting

X. OLD Business:

- A. At the last Council meeting the Resolution to enter into the MERS system for the Health Care Savings plan was adopted. Before the Council at this meeting is a second document from MERS that is the formal Health Care Savings Program Participation Agreement. This is the operating agreement that outlines the Village's and MERS's responsibilities. A motion adopting the Participation Agreement would be needed for the plan to be put into

XI. New Business:

- A. Site Plan Review Application- 2015-SP-003 (Informational purpose only)**
Enclosed in your packet is the site plan information for the new Emmet county EMS building. The information is provided to you to keep you up to date on the status of the new building construction.
- B. Planning Commission Resignation-** Attached is a letter from Merlyne Vartanian from the Planning Commission.
- C. Dissolution of Historic Commission-** In 2004 the Village established a Historic Commission whose mission was to foster any activity or project which the governing body of the Village determines would advance the historical interest of the Village. I have attached copies of the ordinance establishing the Commission, its last appointed members, By Laws as well as the minutes of the first meeting and a memo from Jeff Lawson outlining the Commission's mission. The main mission of the Commission was to establish a Historical Village. After the establishment of the Historical Village the Commission seems to have given way to the Historical Society. Should the Council wish to dissolve the Historic Commission a motion to

that affect would be needed. As always I would be happy to address any questions the Council may have.

- D. Rezoning of Parcel # 012-V07-002-031-01, 503 E. Etherington St., from R1 to B2 by the Estate of Rosalie O'Brien.** Included in your Agenda is the backup information regarding this rezoning for your review.

- E. Tree Board Appointment-** President Heilman will be presenting names for appointment to the Tree Board for Council consideration.

Items Not on the Agenda:

- 1. Planning Commission Training Options:** The Council asked me to review various training options for Planning training. Attached for your review and comment are three training options I found for all Elected officials and Planning Commission members. In this year's budget there is \$1,000 in each budget for training. After review I would be happy to answer any questions that Council members may have.

- 2. Gas at the Harbor-** Gas at the Harbor is now 3.96 per gallon closer to the 4.03 we paid for it last year.

- 3. Recreation Coordinator-** I have hired Mike Green a Seasonal employee at the Marina to oversee our recreation activities. As of this time there will be no Softball leagues but Mike is looking to have T-Ball and other activities to generate field usage. He is also looking into activities and events for the Recreation Center. Mike is a Central Michigan University recent graduate in Recreation and worked with the various University sports teams while at

CMU. When you have a chance please stop and say hi to Mike he is very excited about what can happen at the Rec Complex and the Center.

D White

From: Solomon, Dean <solomon@anr.msu.edu>
Sent: Wednesday, May 27, 2015 1:35 PM
To: D White
Subject: MSU Extension Citizen Planner

Hi Dave:

Here's a link to the Citizen Planner website: http://msue.anr.msu.edu/program/info/michigan_citizen_planner

The core classroom course is 7, 2 ½ to 3 hour sessions, usually offered weekly in the evening. The cost per person is \$295 (\$275 for four or more from the same community). We need around 20 individuals in a class to cover the speaker travel and other associated expenses. The nearest classroom program this fall will be in Charlevoix.

As I indicated on the phone, the program is also available via videoconferencing where smaller groups (4-6 or so) gather at several communities around the state to participate with live video and audio. This approach was very successful when we offered it last winter, with very few technology hiccups. Registration fee for this version is \$275 per person (\$250 with four or more from same community). Here's a link to a video that describes the program and facility requirements:

https://mediaspace.msu.edu/media/MSU+Citizen+Planner+On+the+Web+overview/1_faklfq65

We are now accepting expressions of interest by communities in hosting the videoconference version of the program that will begin at September 29.

Let me know if you have questions or are interested in either of these options.

Dean Solomon
Senior Extension Educator
Michigan State University Extension
319 B North Lake Street
Boyer City, MI 49712
Office: 231-582-6232 | Cell: 231-357-2761

Name _____

Title _____

Municipality or company _____

Address _____

City, state, zip code _____

County _____

Phone _____

Fax _____

E-mail _____

Individual	\$60
Group (up to 12)*	\$625
Corporate (up to 12)*	\$750
Contributing	\$100 (\$40 for APA)
Sustaining	\$200 (\$140 for APA)
Student	\$15

Date of expected graduation: _____

School: _____

*please attach a list of all group members, including contact information

Payment Information:

- Invoice Me
- Check enclosed (made payable to MAP)
- MasterCard Visa

Card number: _____

Expiration: _____ Security Code: _____

Card holder's name _____

Signature _____

Michigan Association of Planning

1919 W. Stadium Blvd.

Suite 4

Ann Arbor, MI 48103

(734) 913-2000

(734) 913-2061 fax

info@planningmi.org

www.planningmi.org



Michigan Association of Planning
 American Planning Association
 Michigan Chapter
Making Great Communities Happen

“MAP exists so that Michigan will consist of healthy, safe, attractive and successful communities built first and foremost on quality community planning.”

The Michigan Association of Planning (MAP) is the only organization in Michigan devoted solely to representing elected and appointed local officials and professional planners, who share a commitment to making informed land use and planning decisions.

Since 1945, MAP has worked to improve the communities where we live, work, play, and learn. Through advocacy, education, and information, MAP strives to help its members achieve a desired quality of life through comprehensive community planning that includes opportunities for a variety of lifestyles and housing, employment, commercial activities, and cultural, and recreational amenities. Through a variety of services and programs, MAP serves to assist all land use decision makers in Michigan with building the best communities.



Member Services & Programs

PZE and On-site Workshops

MAP's Planning and Zoning Essentials workshops are educational programs designed to bring both advanced and basic training to elected and appointed local officials. With our on-site workshops, we send the instructor and training materials to your location for your convenience.

Michigan Planner Magazine

Every month the *Michigan Planner* and the *Michigan Planner E-dition* keep MAP members up-to-date on the latest techniques in planning and land use, as well as strategies being applied in communities around the state.

Publications

MAP produces over a dozen different guidebooks, manuals, and other resources on a variety of topics, some of which are included in your annual membership. Check out our Webpage for the latest available publications, www.planningmi.org/publications.asp

Member Discounts

MAP members receive valuable discounts on all Association workshops, conferences, and educational materials.



Website

MAP's ever-expanding site, www.planningmi.org gives you the latest news on MAP legislative initiatives and decisions made at the capital regarding land use, association events, upcoming educational workshops, job postings, and more.

AICP and MSU Master Citizen Planner Credits

Most MAP courses qualify for certification maintenance (CM) credits for AICP members and MSU Extension Master Citizen Planners. Fulfill your continuing education requirements by participating in MAP programs.

Sponsorship and Advertising

Sponsorships and advertising opportunities are available to private sector members interested in additional exposure through the Web site and event sponsorships, display advertising, and legislative support.

Networking Opportunities

MAP members gather each fall for Planning Michigan, the premier educational conference for planners in Michigan. The annual Spring Institute and many other educational events provide valuable networking time. MAP members may become more involved in the association through election to the Board of Directors or appointment to committees.

Membership Classifications

Individual Membership

\$60

Individual memberships are typically held by: a local elected or appointed official whose community does not hold a group membership, but who understands the benefit of belonging to a professional organization; or a professional planner who has not received national certification and does not belong to the American Planning Association (APA). APA members automatically receive the MAP membership through their dues to APA.

Contributing Membership

\$100

Sustaining Membership

\$200

These upgraded membership categories allow members to contribute additional funding to help MAP forward its mission. Contributing and Sustaining members receive the standard membership benefits plus recognition on the Website, at MAP events, and in the *Michigan Planner*.

Group Membership

\$625

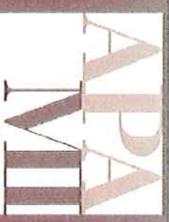
Group memberships are designed for cities, counties, townships, or villages, and can include the community's elected board, planning commission, zoning board of appeals, and staff. This membership category accommodates up to 12 members. Additional members can be included in the group for \$50 per person.

Corporate Membership

\$750

This membership level provides private companies with recognition as a heightened supporter of the Association's activities. All corporate members are acknowledged at MAP events, on our Web site, and in the *Michigan Planner* magazine. Full membership benefits for up to 12 members of your company are included.

Michigan Association of Planning's On-site Workshop Program



The Michigan Association of Planning's (MAP) **on-site workshops** are an excellent opportunity to bring training right to your community. You can invite as many participants as you'd like—neighboring communities can even share the costs.

Partnering not only **saves money**, but also provides land use leaders from your area with a valuable networking opportunity.

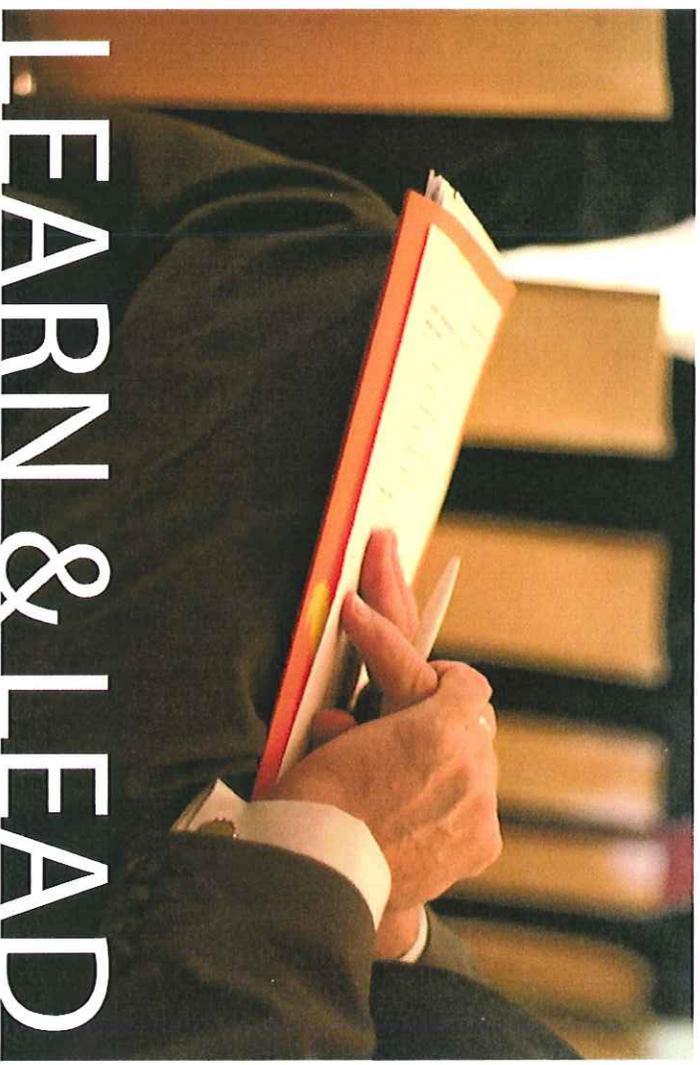
Cut costs. Save time. This **cost-effective** training conveniently provides the tools and resources local officials need to make better land use decisions. You secure the location, identify the date, invite an unlimited number of participants, and we bring the program to you.

MAP has coordinated on-site workshops for neighboring counties, townships, cities, and villages throughout the state. Add your community to our list. **Schedule an on-site workshop today.**

Topics include:

Planning and Zoning Essentials | ZBA : Beyond the Basics | Risk Management | Capital Improvements Programs | Site Plan Review | Community Engagement | Master Planning Process

Contact Amy Jordan, MAP's Director of Education, at (734)913-2000 or ajordan@planningmi.org



With MAP, you don't have to worry:

Costs for an on-site workshop:

Program handouts (per registrant)

Planning and Zoning Essentials	\$25
Site Plan Review*	\$35
Zoning Board of Appeals	\$25
All other programs	Varies

**Includes engineer's scale and hands-on exercises*

Workshop fee**

APA/MAP Member	\$900
Non-Member	\$1000

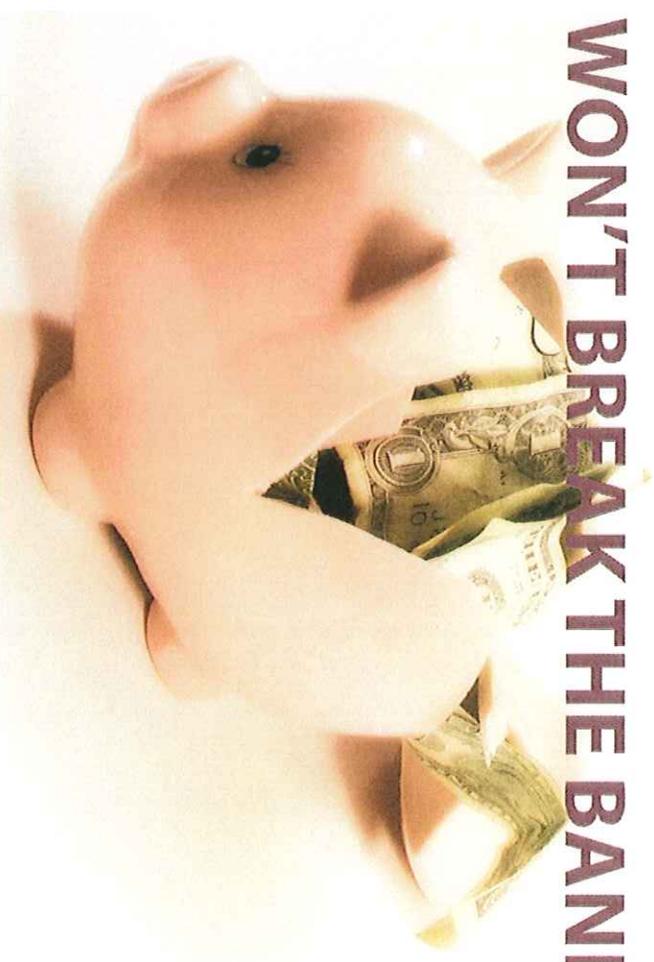
***Community Engagement program fee may vary.*

Shipping expenses varies

Instructor mileage \$0.565/mile

EDUCATION

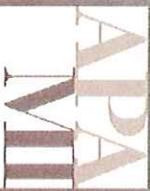
WON'T BREAK THE BANK.



The Michigan Association of Planning's education programs provide participants with the skills and knowledge to make good land-use decisions. Our highly experienced instructors enable new community planning officials to better understand their roles and responsibilities and acquaint experienced officials with innovative planning tools and techniques. We make it easy for you to receive the education and training necessary to keep up with the ever-changing land-use landscape.

Contact us to inquire about or initiate your next training session!

ajordan@planningmi.org or (734) 913-2000



MAP does the hard work and delivers training right to your community in 8 easy steps. Here's how!

- Step 1** Select a Topic: Planning and Zoning Essentials | Advanced ZBA : Beyond the Basics | Making Bullet Proof Decisions (Risk Management) | Capital Improvements Programs | Site Plan Review | Community Engagement | Master Planning Process
Want specific topics highlighted or community-specific issues addressed? We can customize!
- Step 2** Select a few dates, times, and identify a location: Determine the best time of the week that works for your elected and appointed officials (week day evenings, Saturday morning, afternoons) and find a location that will hold the approximate number of attendees you anticipate.
- Step 3** Contact MAP with the above information. We'll provide you with a cost estimate.
- Step 4** MAP will confirm the date, time, and instructor.
- Step 5** Market the training: Let people know about it! Invite your own officials, partner with neighboring communities, or open it up to the public. Let MAP know if you need guidance, we're happy to help!
- Step 6** Register attendees: Keep a list of everyone who plans to attend!
- Step 7** Send MAP the list of attendees in a spreadsheet: MAP will prepare handouts, certificates of completion, and send the materials directly to you.
- Step 8** Hold a quality training program: The experienced, AICP certified instructor will arrive with a presentation designed to help your community officials make top-notch decisions.

Step 1 Select a topic (topics and program times can be tailored to fit your needs)

Planning and Zoning Essentials (“Basic Training”) | 4.5 hour program | This information-packed program is not only perfect for introducing new planning commissioners and zoning board of appeals members to their roles and responsibilities, it’s a great course for more experienced officials looking to hone their skills and knowledge. Newly elected officials will benefit too from this comprehensive overview which will explain how the zoning board of appeals, planning commissioners, elected officials and staff interact. Roles and responsibilities of the board, site plan review, comprehensive planning, zoning ordinances, conditional rezoning, consideration of variances, how to determine practical difficulty, and standards for decision-making are all presented. This workshop is updated with the latest amendments to the Zoning Enabling Act, and incorporates requirements of the Planning Enabling Act.

ZBA: Beyond the Basics | 2.5 hour program | Quasi-judicial functions of the zoning process are handled by the Zoning Board of Appeals. This interactive, case study based workshop goes into greater depth on the issues of practical difficulty and unnecessary hardship. Recent case law is also discussed, along with a summary of voting and membership requirements, and other procedural requirements unique to ZBA operations.

Site Plan Review | 3.5 hour program | This program will demonstrate the site plan review and approval process and provide practical tools and techniques on how to read a site plan. You’ll discuss site design principles, such as pedestrian and traffic considerations, lighting, utilities, ADA compliance, inspections, and landscaping. Participants in this hands-on workshop receive an engineering scale, turning template and a sample site plan to evaluate.

Risk Management | 2.5 hour program | As more communities face litigation related to planning and zoning decisions, this is essential training for all elected officials, planning commissioners and zoning board of appeals members. Topics include identifying a conflict of interest, applying discretionary standards during special land use reviews, reasonable expectations of a developer and how your comprehensive plan can minimize risk.

Capital Improvements Programs | 2.5 hour program | When Public Act (PA)33, the Michigan Planning Enabling Act (MPEA), was adopted in 2008, it expanded provisions for Capital Improvements Programs (CIP). City and village planning commissions are still required to prepare a CIP, and now townships that operate a water or sewer system are too. Do you know what the Planning Enabling Act says about the CIP? Do you know what should be included, and how often it should be updated? This program explains—from start to finish—everything you need to know to prepare and adopt a Capital Improvement Program, including: who should be involved in the Capital Improvement Program process; the accounting and budgetary requirements of a CIP; how to tie the program into your infrastructure capacity; and how to handle controversial topics.

Community Engagement | 3 hour program | Knowing which public engagement technique to use for which audience, and managing the public participation process so that all voices can be heard, all the while ensuring that the input is meaningful and relevant is one of a planner’s greatest challenges. A process that can be rife with politics on one hand, and rewarding and beneficial on another, is part and parcel of the effort. This interactive session explains best practices on how to engage with community members and stakeholders in a more meaningful way.

Master Planning Process | Liked the overview of master plans in the Planning and Zoning Essentials? This workshop is for those who want to roll up their sleeves and learn more about the details of the master planning process. Includes community-specific demographics discussion and brief overview of community engagement principles.

Want specific topics focused on or community-specific issues addressed? We can customize! Contact us: ajordan@planningmi.org (734)913-2000.

Steps 2 - 4 We'll work together to schedule the training

Select three dates: Determine the best time of the week that works for your elected and appointed officials (weekday evenings and Saturday morning or early afternoons are always available), and contact MAP at (734) 913-2000 or ajordan@planningmi.org.

Let us know how many people you expect to participate (consider inviting your neighbors!) and, if you have a preferred instructor. MAP will provide you with a cost estimate, and **confirm** the date, time, and instructor.

Take into consideration:

- Budget
- If reaching outside your community, consider charging a small fee for each workshop participant or sharing cost with another community
- Costs for coffee or any refreshments to be served
- A facility that can be set in classroom style works very well for training
- Will anyone need directions to the facility?
- Do you have a data projector, or will the instructor need to bring one?



Step 5 – 8 Market and Implement the training

Determine how you will keep track of registrants! You can ask attendees to sign up in any of the following ways:

Email | Survey Monkey | Phone | Mail | Fax

You will want to keep track of name, community/affiliation, mailing address (MAP will mail any walk-ins the certificate of completion), and email address.

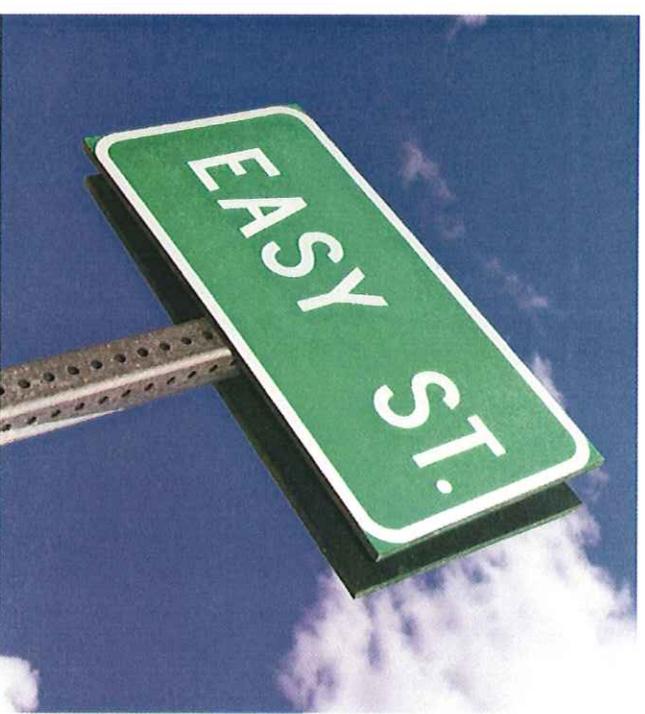
Market the training: Begin early if you plan to include neighboring communities. MAP has a template you can use to get started. Ask the planning directors/zoning administrators or clerks of neighboring communities to notify their elected and appointed officials of the training program.

Register attendees: Keep a list of everyone who plans to attend!

Send MAP the list of attendees in spreadsheet: MAP will prepare handouts, certificates of completion, and send the materials directly to you. Extras are always included in case of walk-ins. You can return any unused materials to MAP at no charge.

Hold a quality training program: Be sure to contact your instructor sometime before the workshop to discuss the presentation, directions to location, and any other last minute details.

Evaluations and payment: Be sure attendees fill out the evaluation forms! We are always updating our curriculums to make sure we deliver the best programs possible and would love to hear your feedback! If you have any unused packets, please return and they will be credited to your total invoice. We will send you an invoice after the workshop once we receive bill from instructor.



**MINUTES PUBLIC HEARING
PLANNING COMMISSION
VILLAGE OF MACKINAW CITY**

7:00 P.M.

April 23, 2015

- I. **Request to rezone Parcel # 012-v07-022-031-01, located at 503 E. Etherington St., Mackinaw City, MI 49701, from R-1 to B-2. This request has been submitted by the Estate of Rosalie O'Brien.**

Planning Commission Chairperson Rosada Mann was present and called the public hearing to order. Commissioners Present: Ronald Dye, Earl Taylor, Matt Cooley, Merlyne Vartanian, Mary Clark, and Paul Allers. Also present-Interim Zoning Director Fred Thompson, Jr and recording secretary Lana Jaggi

Chairperson Mann explained to the audience protocol of Public Hearings and detailed the request to rezone.

**Chairperson Mann read aloud letters from:
Steffi Schuetze and Norbert Mueller-In opposition
Lynn and Beverly Pennock-In opposition
David and Annabel Dwyer-In opposition
Marianne Murray-In opposition
Letters were placed on file**

**Public Comments:
Ron Wallin-Village Resident-In opposition
Julius O'Brien-Village Resident-In favor
Joanne Leal-Village Resident-In opposition
Nancy Dean-Village Resident-In opposition
Leo Terrian-Village Resident-In opposition
John Willobee-Village Resident-concerned
Matt Yoder-Village Resident-In favor
Chris Shepler-Village Business Owner-In favor**

Chairperson Mann closed public hearing at 7:27 PM

Respectfully Submitted;

Rosada Mann, Chairperson

Matt Cooley, Secretary

**MINUTES REGULAR PLANNING COMMISSION MEETING
MACKINAW CITY**

7:28 P.M.

April 23, 2015

I. CALL TO ORDER/WELCOME

Planning Commission Chair Rosada Mann was present and called the meeting to order.

II ROLL CALL

Commissioners Present: Ronald Dye, Earl Taylor, Matt Cooley, Merlyne Vartanian, Mary Clark, and Paul Allers.

Also present-Interim Zoning Director Fred Thompson, Jr.

III. PLEDGE OF ALLEGIANCE

IV. APPROVAL OF MINUTES

Motion Taylor support Dye to approve the minutes of the regular meeting held February 26, 2015 as presented . Voice Vote, motion carried unanimously.

V. PUBLIC COMMENTS

Ron Wallin-Village Resident
Julius O'Brien-Village Resident
Nancy Dean-Village Resident
Joanne Leal-Village Resident

VI. NEW BUSINESS:

1. Rezoning of Parcel # 012-V07-002-031-01 from R-1 to B2. Request submitted by the Estate of Rosalie O'Brien.

Motion Mann support Clark to recommend denial of rezone request #2015-ZP004 by the Estate of Rosalie O'Brien for parcel # 012-V07-002-031-01, 503 E. Etherington St., from R1 to B2.

Yeas-Allers, Vartanian, Clark, Mann, Cooley, Dye, Taylor. Motion carried

Finding of Facts per Chair Mann:

1. The property is within the Residential Protection Zone for the Village of Mackinaw City.

2. Rezone request is inconsistent with Mackinaw City's Master Plan

3. Rezone request is inconsistent with the Future Land Use Map of Mackinaw City

2. Request for the Village to abandon the easterly most section of E. Etherington St. right of way from the easterly right of way of North Huron Ave. east to the ordinary high water mark of 1985 (IGLD), 582.5", which is the Village limits. Request submitted by the Estate of Rosalie O'Brien.

Motion Mann support Clark to recommend denial of the request by the Estate of Rosalie O'Brien to abandon the easterly most section of E. Etherington Street right of way from the easterly right of way of North Huron Ave. east to the ordinary high water mark of 1985 (IGLD), 582.5", which is Village Limits.

Yeas- Clark, Mann, Cooley, Dye, Taylor, Vartanian, Allers. Motion carried.

**MINUTES SPECIAL PLANNING COMMISSION MEETING
MACKINAW CITY**

7:28 P.M.

April 23, 2015

Finding of Fact per Chair Mann:

The road provides the only access, this side of the bridge, where a person with mobility issues can drive directly to the water and enjoy the incredible unobstructed view of the Straits of Mackinac. In all other areas, that allow the public access to the water, a person must park their vehicle and walk varying distances to achieve this view.

That portion of East Etherington Street provides the dividing line between the commercial B2 Zoning District, and the residential protected R1 Zone according to Mackinaw City's Master Plan.

This road end is part of the original plat map of Mackinaw City, and as such there is, and has been, an expectation from Mackinaw City residents and the visiting public that this road end would never be open for development.

It is the Planning Commission's position that the road abandonment is not in the best interest of the residents of Mackinaw City or the visiting public.

Our Master Plan states in part, " Lake Michigan and Huron offer outstanding scenic and recreational amenities to the village residents and visitors. It is extremely important that the quality of these surface waters be protected from the negative impacts of development, such as pollution and loss of scenic views to open water."

VII. OLD BUSINESS: None

VIII. COMMISSIONER COMMENTS: None

IX. COMMISSIONER CALENDAR
May 28, 2015

X. ADJOURNMENT: 8:00 PM

Respectfully submitted;

Rosada Mann; Chairperson

Matt Cooley; Secretary

MERS Health Care Savings Program Participation Agreement



1134 Municipal Way Lansing, MI 48917 | 800.767.2308 | Fax 517.703.9711

www.mersofmich.com

I. PARTICIPATING EMPLOYER

Employer Name: Village of Mackinaw City
(Name of municipality or court)

Municipality Number: 1606 Division Number: _____

II. EFFECTIVE DATE

1. If this is the initial Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of the program here adopted shall be:

July 1, 2015
(Date)

2. If this is an amendment and restatement of an existing Participation Agreement relating to the MERS Health Care Savings Program for this covered group, the effective date of this amendment and restatement shall be effective: _____
(Date)

This Participation Agreement is intended to replace and serve as an amendment of the Employer's preexisting program, which was originally effective: _____
(Date)

III. COVERED EMPLOYEE GROUPS

A participating Employer may cover all of its employee groups, bargaining units or personnel/ employee classifications ("Covered Group"), in Health Care Savings Program. **Contributions shall be made on the same basis within each Covered Group identified by this agreement, and remitted as directed by the Program Administrator.** If the Employer has varying coverage or contribution structures between groups, a separate agreement will need to be completed for each covered group. This agreement encompasses the following group(s):

all full-time employees and all current retirees
(Name/s of HCSP covered group/s)

IV. ELIGIBLE EMPLOYEES

Only Employees of a "municipality" may be covered by the Health Care Savings Program Participation Agreement. Independent contractors may not participate in the Health Care Savings Program. Subject to other conditions in the Trust Document and this Participation Agreement, the following Covered Group of Employees are deemed to be "qualified persons" eligible to participate in the Health Care Savings Program:

Check one or both:

With respect to Covered Groups, this Participation Agreement covers all employees who are in a collective bargaining unit, subject to the terms of the collective bargaining agreement.

With respect to Covered Groups, this Participation Agreement covers all employees who are subject to the same personnel policy, according to the terms of the policy.

MERS Health Care Savings Program Participation Agreement

The Employer shall provide MERS with the name, address, Social Security Number, and date of birth for each Eligible Employee, as defined by the Participation Agreement on Personal Information and Beneficiary Designation forms to be provided by MERS Health Care Savings Program.

V. EMPLOYER CONTRIBUTIONS TO THE HEALTH CARE SAVINGS PROGRAM

The Participating Employer hereby elects to make contributions to the Trust. Once you have determined the contribution structure, language should be added in the appropriate area below. Contributions shall be made on the same basis within each Covered Group specified in this agreement, and remitted to MERS as directed by the Employer, to be credited to the individual accounts of Eligible Employees as follows:

Check one or more (A, B, and/or C):

- A. **Basic Employer (Before-Tax) Contributions.** Before-tax employer contributions may be made as a percentage of salary and/or by a specified dollar amount. Identify below the basic employer contribution formula to be applied to the covered groups within the Health Care Savings Program identified in this agreement.

Contribution structure (specify):

\$20 per month per employee

Vesting Cycle For Basic Employer Contributions Only. The employer contributions identified in this Participation Agreement are subject to the following vesting cycle.

- Immediate Vesting upon Participation
- Cliff Vesting: The participant is 100% vested upon _____ year(s).
(Stated years)
- Graded Vesting Percentage per year of service: Employers can select the percentage of vesting with the corresponding years of service:

Years of Service	Percent Vested
_____	_____
_____	_____
_____	_____
_____	_____
_____	100%

FORFEITURE PROVISION. Upon separation from service with the Employer prior to meeting the required vesting schedule set out above or in the event a Participant dies without Dependent(s) and/or a named Beneficiary, a Participant's account assets shall:

Check only one:

- Remain in the HCSP sub-trust to be reallocated among all Plan participants on an equal dollar basis
- Remain in the HCSP sub-trust to be used to offset future Employer Contributions
- Be transferred to the Retiree Health Funding Vehicle ("RHFV").

MERS Health Care Savings Program Participation Agreement

REINSTATEMENT OF FORFEITURES. If a Participant experiences Forfeiture, but is re-employed by the same employer within a defined period assets may be reinstated to the Participant's HCSP account.

Check only one:

- Yes, reinstate all Forfeitures for participants re-employed within _____ period.
(Time period)
- No, do not reinstate Forfeitures.

- B. Mandatory Salary Reduction (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory salary reduction resulting from collective bargaining or the establishment of a personnel policy. These reductions may be made as a percentage of salary or a specific dollar amount.

Contribution structure (specify):

- C. Mandatory Leave Conversion (Before-Tax) Contributions.** Before-tax Employer Contributions to the Health Care Savings Program Sub-Trust shall be made that represent a mandatory conversion of accrued leave including, but not limited to vacation, holiday, sick leave, or severance amounts otherwise paid out, to a cash contribution. These contributions may be calculated as a percentage of accrued leave or a specific dollar amount representing the accrued leave. Leave conversions may be made on an annual basis or at separation from service, or at such other time as the Employer indicates. *(Note: The leave conversion program shall not permit employees the option of receiving cash in lieu of the employer contribution.)*

Check one or more:

- As of Dec 31 and or separation, 100 % of sick hrs in excess of 500 hrs
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.
- As of _____, _____ % of _____
Annual date or X weeks before termination Percentage Type of Leave Conversion (sick, vacation, etc.)
must be contributed to the HCSP.

MERS Health Care Savings Program Participation Agreement

Post-Tax Employee Contributions. Post-tax Employee Contributions made by Eligible Employees within the Covered Group(s) shall be remitted as directed by the Program Administrator, to be credited to the individual accounts of Eligible Employees. All Employee Contributions must be remitted to MERS along with the Participation Report.

VI. MODIFICATION OF THE TERMS OF THE PARTICIPATION AGREEMENT

If a Participating Employer desires to amend any of its previous elections contained in this Participation Agreement, including attachments, the Governing Body by official action must adopt a new Participation Agreement and forward it to the Board for approval. The amendment of the new Participation Agreement is not effective until approved by the Board and other procedures required by the Trust Agreement and Plan Document have been implemented.

VII. STATE LAW

To the extent not preempted by federal law, this agreement shall be interpreted in accordance with Michigan law.

VIII. TERMINATION OF THE PARTICIPATION AGREEMENT

This Participation Agreement may be terminated only in accordance with the Trust Agreement.

IX. EXECUTION BY GOVERNING BODY OF MUNICIPALITY

The foregoing Participation Agreement is hereby adopted and approved on the ____ day of _____, 20____ at the official meeting held by Village of Mackinaw City.
(Name of approving employer)

Authorized Signature: _____

Title: _____

Witness Signature: _____

Received and Approved by the Municipal Employees' Retirement System of Michigan

Dated: _____, 20____

(Authorized MERS signatory)

N, B,
A

There will be a presentation by Emmet County EMS. They will go over the plans for the new EMS building on W. Central Ave. and answer any questions you may have. The information in your packet is only to provide background on the project.

2015-SP-003

**SITE PLAN REVIEW APPLICATION
VILLAGE OF MACKINAW CITY
102 S. Huron Avenue, Mackinaw City, MI 49701**

Project: Emmet County EMS Village of Mackinaw City Station

Property Owned by:

Name: Emmet County

Address: 200 Division Street

City: Petoskey State: MI Zip: 49770

Telephone Home: (231)348-1702 Cell: (231)838-1971

Fax No.: _____ Email: mkrupa@emmetcounty.org

Plan Prepared by:

Company: Edgewater Design Group

Contact Person: Michael Karr, AIA

City: Petoskey State: MI Zip: 49770

Telephone Home: (231)348-0497 Cell: (231)881-8715

Fax No.: N/A Email: michael@edgewaterdesigngroup.com

IS APPLICANT SAME AS PROPERTY OWNER? Yes No

If No, provide name, address, phone of applicant: _____

MICHAEL KARR, EDGEWATER DESIGN GROUP
000 E. MITCHELL STREET PETOSKEY MI

Site Characteristics:

General site location: Southwest Corner of Central Avenue and Louvigny

Property address: 201 W. Central Avenue, Village of Mackinaw City

Current Zoning District: B-1

Proposed Use of Property: Emmet County EMS - Village of Mackinaw City Station

Site Size (square feet/acres): 30,000sf/0.7 acres

Proposed building square footage: 4,270 sf

Number of dwelling units: One dwelling unit (Four bedrooms)

Estimated construction cost (include parking and utilities): \$970,000.00

Notes:

- Village processing fee of \$200 due upon submittal of this application.
- Applicant required to pay all additional fees necessary for site plan review.



SITE PLAN REVIEW CHECKLIST

Project: Emmet County EMS - Village of Mackinaw City Station

Listed below is the Site Plan Review Checklist in accordance with Article IV, Sec. 4.6 of the Village of Mackinaw City Zoning Ordinance. Indicate N/A if item does not apply, check each item.

- X 1. Appropriate Scale
- X 2. Date, North Point, Street Names (existing and proposed right of way).
- X 3. Name of person preparing plan.
- X 4. Proposed site location map.
- X 5. Property line dimensions.
- X 6. Zoning setback lines, distance between buildings (nearest point to nearest point)
- X 7. Location of new buildings.
- X 8. All existing structures (labeled for use and zoning) within 100 feet of perimeter property lines.
- X 9. Access drives, internal roads (note public or private, identify right of way) service roads.
- X 10. Parking areas (numbered spaces, dimensioned typical parking space, maneuvering lanes). Handicap parking location and number.
- X 11. Table of parking spaces required, parking spaces provided.
- N/A 12. Multiple housing units-number of units, composition (efficiency, one bedroom, two, three).
- X 13. Existing easements (utility access) within site limits. If none, state this on the plan.
- X 14. Loading/unloading, service areas.
- X 15. Sidewalks (internal and public within road right of way).
- X 16. Site grading and drainage plan (on-site elevations, current and proposed, for pavements, drives, roads, parking lots, curbs, sidewalks and finished grades at building facades).



N.B.
B

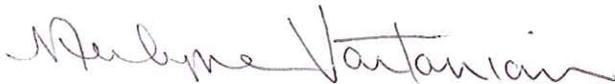
May 18, 2015

Robert Heilman
Village President and Planning Commission
102 North Huron Ave.
Mackinaw City, MI 49701

Dear Robert,

I am writing this letter to resign my seat on the planning commission as of May 18, 2015.
It is with regret that I have to do so at this time. I thank you for the opportunity but have made a job change and I will not be able to attend meetings. Thank you for your understanding.

Sincerely yours,



Merlyne Vartanian

N.B.
C

12.552 - Membership of the Village Historic Commission.

Sec. 2. The Village Historic Commission shall consist of seven members. One member shall be appointed from the Village Council; four members shall be residents of the Village of Mackinaw City with two additional members at large. The members shall be appointed by the Village President, subject to the approval of the Village Council. The term of each member of the Historic Commission shall be three years, except in the case of the first Historic Commission appointed hereunder. Three said members shall be appointed for a one year term, three for a two year term and one for a three year term. All appointments shall commence upon the date of Council approval. The members shall hold office until their successor has been appointed. When a vacancy occurs prior to the expiration of a regular term, it shall be filled through appointment by the Village President subject to approval of the Council for the remainder of the term. Members of the Historic Commission may be removed by the Village President, provided that such removal is approved by the Village Council.

(ord. no. 142 adopt. Aug. 19, 2004)

12.553 - Chairman, meetings, rules and records.

Sec. 3. The Historic Commission shall elect its own chairperson, vice chair and secretary from the members of the Commission. Officers shall be elected each year. The Commission shall hold at least one meeting per quarter. The Commission shall adopt rules for business transactions and keep a current record of its resolutions, transactions, findings and determinations. These records shall be of public record and open to inspection in the office of the Village Clerk. A majority of the Village Historic Commission shall constitute a quorum for the transaction of business.

(ord. no. 142 adopt. Aug. 19, 2004)

12.554 - Purpose.

Sec. 4. The Village Historic Commission shall foster activities and projects which will advance the historical interest of the Village.

(ord. no. 142 adopt. Aug. 19, 2004)

12.555 - Appropriations.

Sec. 5. The Village Council may appropriate funds for activities and projects to support the completion of Historic Commission projects. The expenditures of the Historic Commission shall be within the amounts appropriated for that purpose by the Village Council. The Council shall provide the funds, equipment, staff and accommodations it determines necessary for the Commission's work.

(ord. no. 142 adopt. Aug. 19, 2004)

12.556 - Severability.

Sec. 6. The sections of this Ordinance shall be deemed to be severable and should any section or provision of this Ordinance be declared by a any court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect the validity of this Ordinance as a whole or any other part thereof.

(ord. no. 142 adopt. Aug. 19, 2004)

12.557 - Repeal.

Sec. 7. All ordinances or parts of ordinances inconsistent with the provisions of this Ordinance are expressly repealed.

(ord. no. 142 adopt. Aug. 19, 2004)

12.558 - Effective date.

Sec. 8. This ordinance shall become effective immediately upon adoption.

(ord. no. 142 adopt. Aug. 19, 2004)

**VILLAGE COUNCIL
VILLAGE OF MACKINAW CITY**

RESOLUTION TO ESTABLISH AN HISTORIC COMMISSION

Minutes of a regular meeting of the Village Council of the Village of Mackinaw City, Emmet and Cheboygan Counties, Michigan, held in the Village Hall, 102 South Huron Avenue, Mackinaw City, MI 49701, on July 15, 2004 at 7:00 p.m., local time.

Board members present: Robert R. Heilman, Lana Jaggi, David Edwards, Sandra Planisek, James Alford, David McFarland and Jeff Hingston.

Board members absent: None.

The following Resolution was offered by Alford and supported by Planisek:

Whereas, the Municipal Historical Commission Act, being Act No. 213 of 1957, as amended, authorizes the Village of Mackinaw (hereinafter the "Village") to create and approve the development of an Historical Commission for the purpose of fostering any activity or project which the governing body of the Village determines will advance the historical interest of the Village.

Now, therefore, be it resolved that the Village Council for the Village of Mackinaw City hereby authorizes by Ordinance the establishment of the Village of Mackinaw City Historic Commission.

Ayes: Alford, McFarland, Hingston, Jaggi, Edwards, Planisek and Heilman.

Nays: None.

Absent: None.

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF CHEBOYGAN) ss.

I, Sandra M. Krueger, the duly qualified and acting Clerk of the Village of Mackinaw City, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council at a meeting held on July 15, 2004, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended.

IN WITNESS WHEREOF, I have hereto affixed my official signature this 15th day of July, 2004.

Sandra M. Krueger, Village Clerk

HISTORIC COMMISSION

Kurt Grebe - September 2007,

Jerry Prior - September 2006

Kenneth Teysen - September 2007

Thomas Alexander - September 2006

Dorothy Krueger - September 2007

Jim Chamberlain - September 2005

Sandra Planisek - September 2005

**BY LAWS
FOR THE HISTORIC COMMISSION OF
THE VILLAGE OF MACKINAW CITY**

ARTICLE I

Section 1 Name

The name of this commission is the Historical Commission of the Village of Mackinaw City, (hereinafter referred to as the "Commission").

ARTICLE II

Section 1 Registered Office

The initial registered office of the Commission is the Village Hall, 102 S. Huron Avenue, Mackinaw City, MI 49701. The mailing address for the initial registered office is P.O. Box 580, Mackinaw City, MI 49701.

Section 2 Principal Office

The Commission shall have its principal office at the location of the registered office.

ARTICLE III

Section 1 Purpose

The Commission is organized with reference to Act No. 213 of the Public Acts of Michigan of 1957, as amended. The purpose of the Commission is to foster projects and activities which the governing body of the Village determines will advance the historical interest of the Village.

ARTICLE IV

Section 1 General Powers

The activities of the Commission shall be managed by its Commission and by Statutes.

Section 2 Number and Tenure

The Commission shall consist of not less than seven (7) persons. One (1) member shall be appointed from the Village Council, four (4) members shall be residents of the Village of Mackinaw City, and two (2) additional members at large. The members shall be appointed by the Village President with approval of the Village Council. The term of each member of the Commission shall be three (3) years, except in the case of the first Commission appointed hereunder. Three (3) said members shall be appointed for a one (1) year term, three (3) for a two

(2) year term and one (1) for a three (3) year term. All appointments shall commence upon the date of Council approval. The members shall hold office until their successor has been appointed. When a vacancy occurs prior to the expiration of a regular term, it shall be filled through appointment by the Village President, subject to approval of the Council, for the remainder of the term. Members of the Commission may be removed by the Village President, provided that such removal is approved by the Village Council.

ARTICLE V

Section 1 Meetings

Meetings of the Commission may be called by or at the request of the chairperson or any two (2) commissioners. The meetings shall be public and public notice of such meeting shall be in accordance with Act 267 of the Public Acts of Michigan of 1976, as amended. Notice shall be posted by the Village Clerk. The Commission will meet at least once, per quarter each year.

Section 2 Notice

Notice of any meeting of the Commission shall be given at least twenty-four (24) hours prior thereto by written notice, delivered personally to each commissioner at his business address, or mailed to the last known address of each commissioner at least seventy-two (72) hours before the meeting. Notice may also be given electronically (via facsimile or e-mail) to each commissioner at their business address at least twenty-four (24) hours prior to any meeting. The presence of a commissioner at any meeting shall constitute a waiver of notice of such meeting, except where a commissioner attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting of the Commission need be specified in the notice or waiver of notice of such meeting. Notices shall be distributed by the Village Clerk.

Section 3 Quorum

A majority of the members of the Commission then in office constitutes a quorum for the transaction of business at any meeting of the Commission. The vote of the majority of commissioners present at a meeting at which a quorum is present constitutes the action of the commissioners, unless the vote of a larger number is required by Statutes.

Section 4 Participation

A member of the Commission or of a committee designated by the Commission must be present to participate in a meeting.

Section 5 Absenteeism

Attendance at all regular and special meetings is expected. Any member of the Commission, during any twelve (12) month period, who shall incur three (3) absences without prior

Section 6 Chairperson

The chairperson shall be the chief officer of the Commission, but the chairperson from time to time may delegate all or any part of chairperson's duties to the vice chairperson. The chairperson shall preside at all meetings of the Commission. The chairperson shall direct the activity of all meetings according to the agenda set.

Section 7 Vice Chairperson

The vice chairperson shall perform such duties as are delegated to them by the chairperson and the vice chairperson shall, in the absence or in the event of the disability of the chairperson, perform the duties and exercise the powers of the chairperson.

Section 8 Secretary

The secretary shall attend all meetings of the Commission and record all votes and the minutes of all proceedings. The secretary shall perform like duties for the standing committees when required. The secretary shall perform such other duties as may be prescribed by the Commission in its discretion. All records maintained by the secretary must be submitted to the Village Clerk and stored at the Village Hall.

Section 9 Delegation of Duties of Officers

In the absence of any officer of the Commission or for any other reason that the Commission may deem sufficient, the Commission may delegate, from time to time and for such time as it may deem appropriate, the powers or duties, of such officer, provided a majority of the Commission then in office concurs therein.

Section 10 Salaries

The officers of the Commission shall serve without salary; provided that nothing herein contained shall be construed to preclude any officer from serving the Commission in any other capacity and receiving compensation therefore.

ARTICLE VII

Section 1 Appropriations

The Village Council may appropriate funds for activities and projects to support the completion of Commission projects. The expenditures of the Commission shall be within the amounts appropriated for that purpose by the Village Council. The Council may provide the funds, equipment, staff and accommodations it determines necessary for the Commission's work.

ARTICLE VIII

Section 1 Indemnification, Judgment, Settlement, etc.

The Village shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative by reason of the fact that a member of the Commission was a commissioner or officer against expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred by them in connection with such action, suit or proceeding if they acted in good faith and in a manner they reasonably believed to be in or not apposed to the best interests of the Commission and with respect to any criminal action or proceeding, had no reasonable cause to believe their conduct was unlawful. The termination of any action, suit or proceeding by judgment, order settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which they reasonably believed to be in or not opposed to the best interests of the corporation and, with respect to any criminal action or proceeding, had reasonable cause to believe that their conduct was unlawful.

Section 2 Limitations

The Village shall make no provision to indemnify commissioners or officers in any action, suit or proceeding referred to in Section 1 which shall be in conflict with the provisions of this article. The Commission is provided liability insurance by the Village of Mackinaw City.

ARTICLE IX

Section 1 Amendments

The By-Laws may be altered, amended or repealed with recommendations from the Commission to the Village Council for approval.

I HEREBY CERTIFY that the above By-Laws were adopted on the _____ day of _____, 2005.

_____, Secretary

MEMORANDUM

TO: Historic Commission Members
FROM: Jeffery B. Lawson, Village Manager
DATE: October 29, 2004
RE: First Meeting

The first meeting of the Mackinaw City Historic Commission is scheduled for Wednesday, November 3, 2004 at 3:00 p.m. at the Village Council Chambers located at the 102 S. Huron Avenue, Mackinaw City, MI. At this meeting, each member will be sworn in by the Village Clerk. Attached you will also find a copy of the Commission's By-Laws for review. Commissioners should review these By-Laws and present any comments or concerns at the meeting.

The Village Council will review the Historic Commission By-Laws at their November 4, 2004 council meeting. Once the Council approves the By-Laws, the Commission may elect officers.

The goals and objectives of the Commission should be discussed at this meeting. The Village Council has created the Historic Commission to work on projects to foster projects and activities which enhance the historical interests of the Village. Specifically, the Council would like the Commission to supply the recommendations necessary to develop the Historic Village. This can be accomplished through a site development plan identifying the types of buildings to be developed in the Historical Village, i.e. a plan to move and restore buildings and make the site successful for use.

The Commission will need to work closely with the Historical Society to accomplish the development of the project. The Council believes the Historical Society will help to raise funds for these activities, develop programs and displays necessary for the Historic Village, and gather historic artifacts and items.

Although this does not constitute the only areas or activities the Commission can address, these are the primary objectives of the Commission.

The Village Council appreciates your interest and dedication to the history of Mackinaw City and looks forward to working with the Commission on future projects.

Jeffery B. Lawson
Village Manager

HISTORICAL COMMISSION MINUTES

November 3, 2004

3PM Village Hall

Commission Members Present: Kurt Grebe, Ken Teysen, Jerry Prior, Sandy Planisek, Tom Alexander, Dorothy Krueger, Jim Chamberlain

Others Present: Jeff Lawson, Steve Schnell, Rosada Mann

Jeff Lawson called the meeting to order at 3pm. He explained that this commission would be an advisory body to the village council. Meetings of the Commission will follow the agenda format that was used for this meeting. The meeting times will need to be posted in advance by the Village Clerk. It is hoped that the posted meeting announcement would contain most of the items on the agenda but it does not absolutely have to contain every item since this is an advisory group, not a decision making group.

Village Clerk Sandy Krueger swore the seven commission members to their new office.

The proposed by-laws for the Historical Commission were discussed.

Motion: by Kurt Grebe, seconded by Jerry Prior Passed unanimously.

To adopt the by-laws with the addition: Meetings shall be held quarterly.

The commission then discussed the goals and objectives of the commission with emphasis on what duties would be performed by the commission and what would be performed by the Historical Society. The Historical Commission is charged with fostering any and all historic projects in the village, but at this time the emphasis is on the Historic Village. The relationship and responsibilities of the village, historical commission and the historical society will be developed as the organizations work together. At the outset it is felt that:

The Village will:

Own the buildings and infrastructure

Be in the best position to get grant funding

Will keep track of any village financing in the historical structures and land

Budget money for historical assets and supply materials needed by volunteers to accomplish tasks in the Plan

The Historical Commission (HC) will:

Develop the Historical Village site development plan with phases of activity

Decide on policy for restoring the buildings

Present an annual update and list of Historical Society scheduled events to Village Council

Be informed of and give opinions on all events scheduled for the Historical Village land

The Historical Society will:

Raise funds for the Historic Village (HV)

Develop programs and displays for the HV and present these to the HC as necessary

Obtain and own all artifacts inside the buildings at the HV

March 4, 2015

N.B.
D.
2015-2P-004

Village of Mackinaw City
102 South Huron
Mackinaw City, MI 49701
Mr. David White – Village Manager

Re: Zoning request change and right of way abandonment request.

Dear Mr. White

The estate of Rosalie O'Brien is requesting a zoning change for the following parcel:
Parcel Number: 012-V07-002-031-01, Known as 503 E Etherington St., from R-1 to B-2.

Additionally, we are requesting the Village to abandon the easterly most section of E. Etherington St. right-of-way from the easterly right of way of North Huron Avenue east to the Ordinary High Water Mark of 1985 (IGLD), 582.5' which is the Village limits.

If there are any questions regarding this request, please contact us for further clarifications.

Sincerely,

Susan Yoder (executor of the estate of Rosalie O'Brien)

RECEIVED
3-5-15

Law Offices of
TOM H. EVASHEVSKI, P.L.L.C.

TELEPHONE: (906)643-7740
FAX: (906)643-6756
EMAIL: evashevskilaw@gmail.com
March 13, 2015

838 North State Street
P.O. Box 373
St. Ignace, MI 49781

Fred Thompson
Zoning Administrator
Village of Mackinaw City
P.O. Box 580
Mackinaw City, MI 49701

RE: O'Brien Zoning Request

Dear Fred:

Susie Yoder asked me to provide you with proof of ownership regarding Lot 31, Block B, Village of Mackinaw City. Toward that end, I enclose the following:

- A. A deed to Mr. and Mrs. O'Brien for Part of Lot 31 from the Estate of Andrew Bieniawski dated July 14th, 1964.
- B. A deed to the O'Briens for the rest of Lot 31 from Ray and Ruth Puffer dated September 16th, 1983.
- C. A copy of a document from the Equalization Department noting that the two parts of Lot 31 were combined on 9/21/2006.
- D. A Quit Claim Deed from Rosalie to her trust which mistakenly only included part of the lot after the lot had been combined. That was a simple misunderstanding on the part of the attorney who drafted the deed. However, it leaves ownership of part of Lot 31 in the Rosalie E. O'Brien Revocable Living Trust and the other part in her estate.
- E. Copies of the Letters of Authority appointing Susan Kay Yoder as the personal representative of Rosalie's estate thereby giving her ability to make the zoning request on behalf of the estate.
- F. A copy of Article 4 of Rosalie's trust showing Susan Kay Yoder to be the Successor Trustee for the trust, thereby providing her the ability to make the request.

If you need any further documentation, I can provide it but I think this should be sufficient.

Thanks Fred.

Sincerely,



Tom H. Evashevski

THE:dms
Enclosures

RECEIVED
3-13-2015

Prepared by John P. Ternea, Attorney, Mackinaw City, Michigan
DEED OF EXECUTOR, ADMINISTRATOR OR
GUARDIAN—(Short) 300

DOUBLEBAY-NORTH, BOSTON CO., BALTIMORE

Know all Men by these Presents: That I, Francis Kaminski, Executor of
the Estate of Andrew Bleniewski, Deceased

in pursuance of an order of the Probate Court for the County of Emmet in the
State of Michigan, made on the 14th day of July A. D. 1964

and in pursuance of, and after a full compliance with all the provisions of the law, requisite to a valid sale of the real
estate hereinafter mentioned, and in consideration of the sum of Five Thousand (\$5,000.00)-----
Dollars,

paid to me by Jerry G. O'Brien and Rosalie E. O'Brien, of
503 Etherington Street, Mackinaw City, Michigan, Husband and Wife,

the receipt whereof is hereby acknowledged, do hereby grant, bargain sell and convey unto the said
Jerry G. O'Brien and Rosalie E. O'Brien, of 503 Etherington Street,
Mackinaw City, Michigan, Husband and Wife,

their heirs and assigns, Forever,

all that certain piece or parcel of land situate in the Village of
Mackinaw City County of Cheboygan and State of Michigan,

described as follows, to-wit:

Part of Lot 31 Block B, Village of Mackinaw City, Cheboygan
County, Michigan described as follows: Beginning at the Southwest
Corner of Lot 31, Block B; Thence East along the South line of Lot
31, 92 feet; thence North 50 feet to the North line of Lot 31, thence
West along said North line 67.5 feet to the Northwest Corner of Lot
31; thence Southwesterly along the Easterly line of Huron Avenue 55.7
feet to the Point of Beginning.



OFFICE OF
Treasurer of Cheboygan County, Cheboygan, Mich. 1-20-1965

I hereby certify that there are no tax liens or titles held by the State or
any individual against the land described and all taxes on same are paid
for five years previous to the date of instrument as appears by the records
in my office.

Alvin J. M. [Signature]
County Treasurer

* If "or," "was" and follow with name and statement of official capacity, as "I, John Doe, guardian of the estate of Richard Roe, an incompetent
person."

RECEIVED
3-13-2015

To Have and to Hold, the above granted premises, with the appurtenances, to the said Jerry G. O'Brien and Rosalie E. O'Brien heirs and assigns, Forever. And I do hereby covenant with the said Jerry G. O'Brien and Rosalie E. O'Brien that I will Warrant and Defend the said granted premises, with the appurtenances, unto the said Jerry G. O'Brien and Rosalie E. O'Brien, their heirs and assigns, Forever, against the lawful claims and demands of all persons claiming by, from or under Andrew Bieniawski

but against no other persons.

In Testimony Whereof I have hereunto set my hand and seal at Gaylord in the County of Otsego and State of Michigan, this 10th day of December A. D. 1964

Signed, Sealed and Delivered in Presence of
Kenneth S. Arydt
Mary Hogan
Francis Kaminski (L.S.)
(L.S.)
(L.S.)

STATE OF MICHIGAN, ss.

COUNTY OF Otsego On this 10th day of December A. D. 1964

before me A Notary Public, in and for said County, personally came the above named Francis Kaminski

known to me to be the person who executed the foregoing instrument, and who acknowledged the same to be his free act and deed, as Executor of the Estate of Andrew Bieniawski, Deceased as in said instrument described.

Kenneth S. Arydt
Notary Public, Otsego County, Michigan

My commission expires June 8, 1968

PRINT TYPEWRITE OR STAMP names of persons executing this instrument, also names of the Witnesses and Notary Public immediately underneath such signatures. See Act No. 175, of the Public Acts of 1941, requiring the address of each of the Grantees in each Deed of Conveyance or Assignment of Real Estate, including the Street Number, where such numbers are in common use, or, if not, the Post-office address; shall be legibly printed, typewritten, or stamped in such instrument.

300
Deed of Executor, Administrator or Guardian
LIBER 249 PAGE 204
REGISTERS OFFICE
COUNTY OF Otsego
Received for Record this JAN 20 1965
day of 19
at 9:30 o'clock A.M. and Recorded in
Liber of Deeds, on Page
Bluma Fisher
Register of Deeds
BOURBON-HUNT-DOLAN COMPANY
Shelton and Publishers
C. SALAMUNGO - MICHIGAN
31010

RECEIVED
3-13-2015

012-V07-002-031

CHEROKEE COUNTY
025235

STATE OF MICHIGAN
REAL ESTATE TRANSFER TAX
Dept. of Taxation
RECEIVED
SEP 20 1983
at 10:15 O'clock A.M.
Jesse L. Simmons
Rep. of Deeds Cheboygan Co., Mich.

WARRANTY DEED
\$ 55.00

THIS INDENTURE, Made September 16th, 1983

WITNESSETH, That C. RAY PUFFER and RUTH L. PUFFER, husband and wife, 515 East Logan Street, Tecumseh, MI 49286,

In consideration OF FIFTY THOUSAND and 00/100 Dollars (\$50,000.00)

Convey and Warrant to JERRY O'BRIEN and ROSALIE O'BRIEN, husband and wife, of 503 Etherington Street, Mackinaw City, MI 49701

the following described lands and premises situated in the Village of Mackinaw City, County of Cheboygan, and State of Michigan, viz:

Lot 31, Block B, Village of Mackinaw City, Cheboygan County, Michigan, according to the recorded Plat thereof, except beginning at the Southwest corner of Lot 31, Block B; thence East along the South line of Lot 31, 92 feet; thence North 50 feet to the North line of Lot 31; thence West along said North line 67.5 feet to the Northwest corner of Lot 31; thence Southwesterly along the Easterly line of Huron Avenue 55.7 feet to the Point of Beginning.

Subject to restrictions, reservations and encumbrances of record, if any.

Signed in Presence of:

Susan J. Cleary
Susan J. Cleary

Sandra Shawl
Sandra Shawl

STATE OF Michigan }
COUNTY OF Cheboygan } ss

Signed on the Date first above written

C. Ray Puffer
C. RAY PUFFER

Ruth L. Puffer
RUTH L. PUFFER

On Sept. 16th, 1983, before me, a Notary Public, in and for said County, personally appeared C. Ray Puffer and Ruth L. Puffer, to me known to be the same persons described in and who executed the within instrument, who acknowledged the same to be their free act and deed.

Susan J. Cleary
Susan J. Cleary
Notary Public
Cheboygan County, Michigan
My commission expires: June 23, 1984

Drafted by:
James C. Conboy, Jr.
Attorney at Law
PO Box 405
Cheboygan, MI 49721

I Heraby Certify that there are no Tax Liens or Titles held by the State or any individual against the within description, and all Taxes on same are paid for five years previous to the date of this instrument, as appears by the records in my office. This certificate does not apply on taxes, if any, now in process of collection.

Date 9/20 1983

Donald R. McPhee
County Treasurer
County, Michigan

LWER 434 PAGE 783

front of
31

Home

Cheboygan County Equalization Department *- in Trust*

 Print

Parcel #: 012-V07-002-031-01

Property Address

503 E ETHERINGTON ST

Owner Information

OBRIEN, ROSALIE
PO BOX 688
MACKINAW CITY, MI, 49701

General Information

Property Class:	400	Assessed Value 2014:	222,700
School District:	16070	Taxable Value 2014:	93,854
Homestead %:	100	Assessed Value 2013:	246,600
Liber / Page:	434/783	Taxable Value 2013:	92,376
Total Acres:	0		

Legal Description

MACKINAW CITY, LOT 31, BLK B. (SECS 7&18,T39N,R3W) COMB ON 09/21/2006 FROM 012-V07-002-031-00 & 012-V07-002-032-00. 434/783



RECEIVED FOR RECORD
MARY ELLEN TRYBAN, CLERK/REGISTER
CHEBOYGAN COUNTY, MICHIGAN
11/05/2014 10:17:54 AM

RECEIPT# 404, STATION 1
\$17.00 QUIT CLAIM DEED



LIBER 1270 PAGE 362

QUIT CLAIM DEED

The Grantor(s) **ROSALIE E. O'BRIEN** a/k/a Betty O'Brien, as survivor of herself, whose address is 503 Etherington Street, P.O. Box 688, Mackinaw City, MI 49701; and **JERRY O'BRIEN**, deceased, whose death certificate is attached hereto for recording,

Convey(s) and Warrant(s) to Rosalie E. O'Brien as Trustee of **The ROSALIE E. O'BRIEN Revocable Living Trust u/t/a dated October 9, 2006** and any successor trustees to said Rosalie E. O'Brien, whose address is 503 Etherington Street, P.O. Box 688, Mackinaw City, MI 49701,

The following described premises situated in the Village of Mackinaw City, County of Cheboygan, State of Michigan, described as follows, to-wit:

Lot 31, Block B. Village of Mackinaw City, Cheboygan County, Michigan, according to the recorded Plat thereof, except beginning at the Southwest corner of Lot 31, Block B; thence East along the South line of Lot 31, 92 feet; thence North 50 feet to the North line of Lot 31; thence West along said North line 67.5 feet to the Northwest corner of Lot 31; thence Southwesterly along the Easterly line of Huron Avenue 55.7 feet to the Point of Beginning.

Subject to building and use restrictions, reservations, easements, limitations and conditions of record, if any.

Subject to rights of the public generally in and to the use of that portion of subject property used for street, road or highway purposes.

This deed is given for the sum of less than \$100.00. This instrument is exempt from Michigan Transfer Tax pursuant to MCL 207.526(6)(a)

Dated this 9th day of October, 2006.

Signed by:

Rosalie (Betty) E. O'Brien
ROSALIE (BETTY) E. O'BRIEN

MACARTHUR LAW FIRM
TIMOTHY P. MACARTHUR
ATTORNEY AT LAW
1005 SOUTH MAIN STREET
CHEBOYGAN, MICHIGAN
49721-2221

(231) 827-3163
FAX (231) 827-6558

RECEIVED
3-13-2015



LIBER 1270

PAGE 363

STATE OF MICHIGAN }
COUNTY OF CHEBOYGAN }

On this 9th day of October, 2006, before me, a notary public in and for said county, personally appeared **ROSALIE E. O'BRIEN**, personally known to me or having produced a driver's license or other sufficient proof of identification, who executed the foregoing instrument and acknowledged the same to be her free act and deed.

Linda K. Preston Keating
Linda K. Preston Keating, Notary Public
Cheboygan County, Michigan
My Commission expires: 02-21-07
Acting in Cheboygan County

Property Tax Code No. 012-V07-002-031

When recorded return to:

Send subsequent tax bills to:

Grantees

Grantees

Document drafted by:

MacARTHUR LAW FIRM
Timothy P. MacArthur
Attorney at Law
1005 S. Main Street
Cheboygan, MI 49721
(231) 627-3163

MacARTHUR LAW FIRM
TIMOTHY P. MacARTHUR
ATTORNEY AT LAW
005 SOUTH MAIN STREET
CHEBOYGAN, MICHIGAN
49721-2221

(231) 627-3163
FAX (231) 627-6558

RECEIVED
3/15/2013

Approved, SCAO

JIS CODE: LET

STATE OF MICHIGAN
PROBATE COURT
COUNTY OF CHEBOYGAN

LETTERS OF AUTHORITY FOR
PERSONAL REPRESENTATIVE

FILE NO.
14-13986-DE

Estate of ROSALIE E. O'BRIEN, Deceased

TO:

Name and address
Susan Kay Yoder
952 S. Nokomis, P.O. Box 153
Mackinaw City, MI 49701

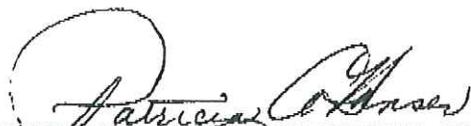
Telephone no.
(231) 838-8286

You have been appointed and qualified as personal representative of the estate on 11/17/2014. You are authorized to perform all acts authorized by law unless exceptions are specified below.

Your authority is limited in the following way:

- You have no authority over the estate's real estate or ownership interests in a business entity that you identified on your acceptance of appointment.
- Other restrictions or limitations are:

These letters expire: _____
Date 11/17/2014



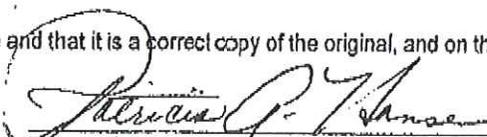
Judge (formal proceedings) Register (informal proceedings) Bar no.

SEE NOTICE OF DUTIES ON SECOND PAGE

Tom H. Evashevski P31207
Attorney name (type or print) Bar no.
838 N. State Street, P.O. Box 373
Address
St. Ignace, MI 49781 (906) 643-7740
City, state, zip Telephone no.

I certify that I have compared this copy with the original on file and that it is a correct copy of the original, and on this date, these letters are in full force and effect.

11/17/2014
Date



Deputy register

Do not write below this line - For court use only



3.3(b) Income After Age 21. After the beneficiary attains the age of 21 years, Trustee shall pay to or for the benefit of the beneficiary all net income, in convenient installments, at least as often as quarter-annually.

3.3(c) Principal. Trustee shall pay to or for the benefit of the beneficiary those portions of principal that Trustee determines necessary for the reasonable health care, education, support and maintenance of the beneficiary and the beneficiary's immediate family (reasonable support and maintenance includes, but is not limited to, obtaining a residence or becoming established or remaining in a business or profession).

3.3(d) Residue. When a beneficiary attains the ages of 21, 25 and 30, Trustee shall distribute the portions of the principal of the trust to the beneficiary free from trust in equal installments.

3.3(e) Death of Beneficiary. If the beneficiary dies before being entitled to distribution of the remaining trust property, Trustee shall distribute the remaining trust property to, or in trust for the benefit of, a person or persons among my descendants, upon such conditions and estates, with the powers, in the manner and at the time or times, as the deceased beneficiary appoints by will which specifically refers to this power of appointment. To the extent this power of appointment is not exercised effectively, Trustee shall distribute the then remaining trust property to the beneficiary's then living descendants, by right of representation, or if there are none, to my then living descendants, by right of representation. The share of any ultimate beneficiary in default of appointment for whose primary benefit another trust then is held or is to be held under this Agreement shall be added to and commingled with the other trust and held, or partly held and partly distributed, as if it had been an original part of the other trust.

4. TRUSTEE

4.1 Successor Trustee. Upon my inability to serve as Trustee during my lifetime (as determined and certified in writing by any remaining, or if none, the next successor, Trustee), or if I fail to select in writing a successor Trustee within 30 days after receipt of knowledge of the then sole Trustee's resignation or refusal to act, the successor Trustees shall be determined as if I had died. Upon my death, the following shall become sole successor Trustee, in the following order:

- First: **SUSAN KAY YODER**
- Second: **JULIUS JAY O'BRIEN**

4.2 Resignation by Trustee. Trustee may resign at any time by giving written notice, specifying the effective date of resignation, to me, or after my death to the

ACARTHUR LAW FIRM
MOTHY P. MACARTHUR
ATTORNEY AT LAW
05 SOUTH MAIN STREET
HEBOYSSAN, MICHIGAN
19721-2221

(231) 627-3163
FAX (231) 627-0958

RECEIVED
3-13-2015

Village of Mackinaw City

102 South Huron Avenue, P.O. Box 580, Mackinaw City, Michigan 49701

Telephone: (231) 436-5351 Fax: (231) 436-4166

www.mackinawcity.org village@mackinawcity.org

**VILLAGE OF MACKINAW CITY
102 SOUTH HURON AVENUE
MACKINAW CITY, MI 49701
Phone: 231-436-5351**

NOTICE OF PUBLIC HEARING ON REZONING OF PROPERTY

The Village of Mackinaw City Planning Commission is holding a Public Hearing to receive written and verbal comments on language to amend Mackinaw City's Zoning Ordinance as follows:

Amendment to Ordinance 138, REZONING of parcel #012-V07-002-031-01. This property is located at 503 E. Etherington Street, Mackinaw City, MI 49701. The property is currently zoned R-1 and the request is for it to be rezoned B-2.

The Mackinaw City Planning Commission will hold a public hearing for such amendments at a regular meeting to be held **April 23, 2015** at 7 PM, within the Mackinaw City Municipal Building located at 102 S. Huron Avenue, Mackinaw City, MI 49701. Written comments will be taken until 7:00 PM, April 23, 2015 at the aforementioned location.

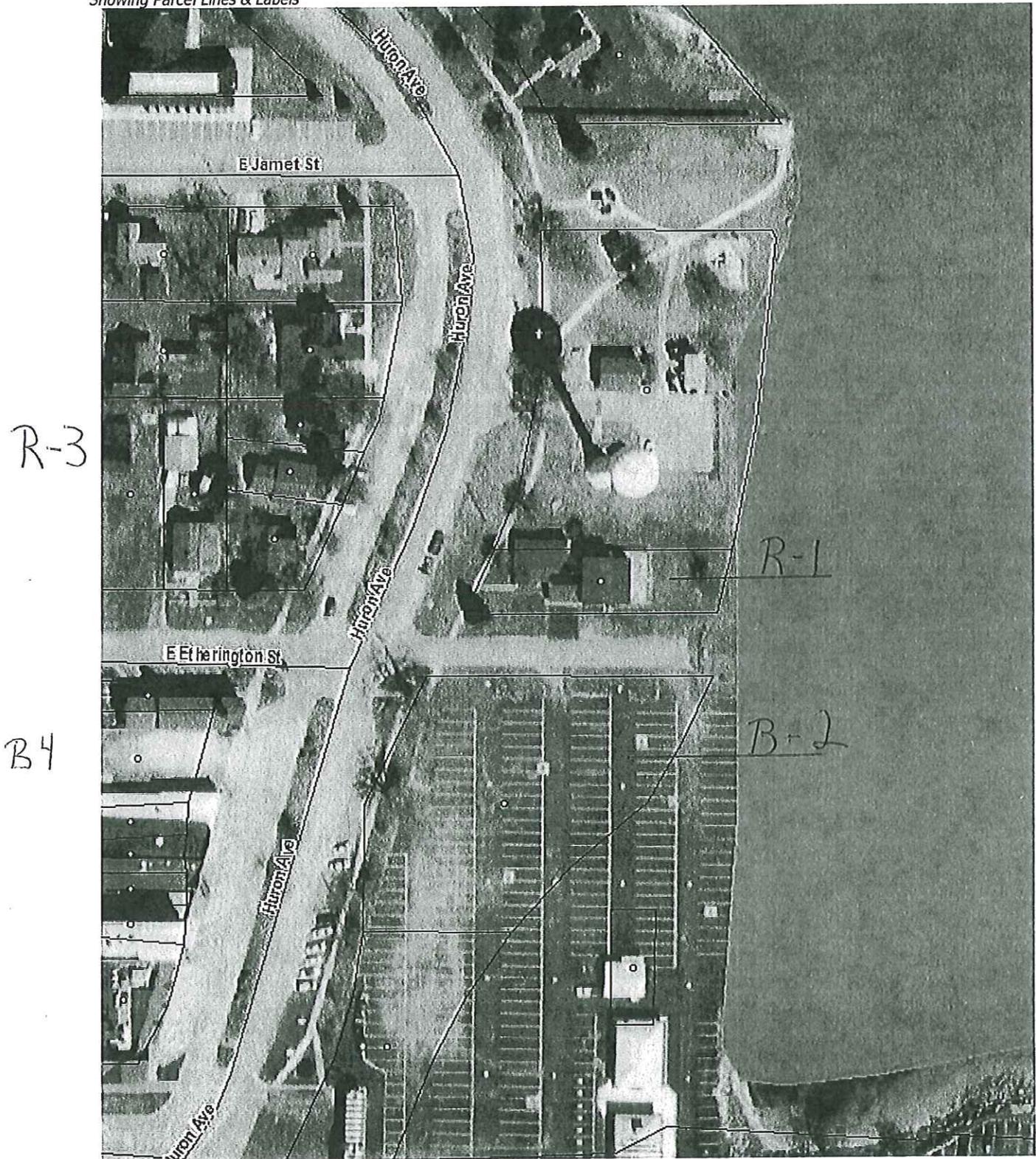
A detailed copy of the R-1 and B-2 zoning district is available for inspection at the above address and on the Internet at <http://www.mackinawcity.org>.

Rosada Mann
Planning Commission Chairperson



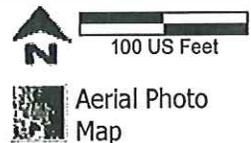
Aerial photos are from 2008 for zoom levels 3-9 and 2012 for levels 1-2

Showing Parcel Lines & Labels



Aerial photos are from 2008 for zoom levels 3-9 and 2012 for levels 1-2

The original photographs used on this web site were provided by the Cheboygan County Planning Office. The photos for zoom level 3-9 were collected in the spring of 2008. The 'best resolution' of these images is 0.5 feet (6 inch) per pixel. The photos for zoom level 1-



ARTICLE V. R1 – SINGLE FAMILY RESIDENCE DISTRICT

Sec. 5-101 PRINCIPLE PERMITTED USES.

In the R1 District, no uses shall be permitted unless otherwise provided in this Ordinance except the following:

- A. Single-family detached dwellings.
- B. Churches and other facilities normally incidental thereto.
- C. Publicly owned and operated parks, play fields, museums, libraries and other recreation facilities, provided that any building shall be located not less than twenty (20) feet from any other lot in any residence district.
- D. Municipal, State or Federal administrative or service buildings, provided that such buildings shall be located not less than twenty (20) feet from any other lot in a residence district.
- E. Accessory buildings and uses customarily incidental to the above Principal Permitted Uses provided that:
 - 1. All waterfront lots shall be considered as having their front yards on the side of the lot adjoining the first street or alley inland from the Straits and parallel to the Straits. Garages and other accessory buildings may be located in the front yard. The [garages and other accessory buildings] shall be located not less than ten (10) feet from the front lot line.
 - 2. Those portions of lots 12 through 78 of Block A, Village of Mackinaw City, which lie between the Straits of Mackinaw and the first alley or road inland from and approximately parallel to the Straits of Mackinaw shall be considered as entire lots for the purposes of this Ordinance so long as the properties are shown on the tax roll as one (1) tax parcel.

Those properties in Wawatam Beach Resort Grounds Addition, Blocks 1-4 which have contiguous property on the south side of Wenniway Drive may be considered as entire lots for the purpose of this Ordinance so long as the properties are shown on the tax roll as one (1) tax parcel.

- 3. **Garages.** Maximum height shall be twenty-one (21) feet. No garage shall be less than ten (10) feet from any front or rear lot line nor within any required side yard, and if located on a corner lot it shall not be less than ten (10) feet from the side street lot line.
- 4. **Other Accessory Buildings.** Accessory buildings shall not be less than ten (10) feet from a front or rear lot line, nor within any required side yard, nor less than ten (10) feet from a side street lot line on a corner lot, nor less than six (6) feet from the main building.

5. No accessory uses and buildings when located on the same lot as a permissible use shall be used or occupied for any business, occupation, profession or trade unless permitted under the special use requirements in accordance with Section 23-102.
- F. Off-street parking in accordance with Section 4-109.

Sec. 5-102 PERMITTED USES SUBJECT TO SPECIAL USE PERMIT.

- A. Public utility buildings, telephone exchange buildings, electric transformer stations and substations, and gas regulator stations, but not including storage yards, when operating requirements necessitate locating within the District to serve the immediate vicinity, and such use is not injurious to the surrounding neighborhood.
- B. Nursery schools, day nurseries and child care centers (not including dormitories) in accordance with Section 23-107.
- C. Home occupations in accordance with Section 23-103.

Sec. 5-103 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

A. Lot Dimensions.

1. Minimum Lot width: 50 ft.
2. Minimum Lot Area: 7,500 sq. ft.
3. Maximum Lot Coverage: 35%

B. Maximum Building Height.

1. Stories: 3.5
2. Height: 35 ft. (Amended 9/05)

C. Yard Setbacks.

1. Front: 25 ft. (see Sec. 22-102A)
2. Sides: 7 ft. (see Sec. 22-102B)
 - a. Total of 2: - (see Sec. 22-102B)
3. Rear: 15 ft.

D. Minimum Building Dimensions.

1. 1st Floor Area: 800 sq. ft.

E. Accessory Buildings, Detached Garages. (amended 10/06)

1. Maximum height: 21 ft.
2. Side Yard setback: 7 ft.
3. Rear Yard setback: 10 ft.
4. Front Yard (Non Lakefront) 25 ft.
- Front Yard (Lakefront) 10 ft.
5. Maximum floor area: Maximum combined floor area of all accessory buildings: 2,000 square feet or 108 percent of the first-floor area of the primary residential building, whichever is smaller.”
6. Minimum distance from main bldg.: 6 ft.
7. Front Yard setback: Must be no closer to front property line than an allowable or existing primary structure, whichever is the greater distance.
8. Maximum floor area for any single accessory building: 1,000 square feet
9. Maximum Number of Accessory Buildings: 3

ARTICLE VII. R3 - SINGLE AND TWO FAMILY RESIDENTIAL DISTRICT

Sec. 7-101 PRINCIPLE PERMITTED USES.

In the R3 Residential District, no uses shall be permitted unless otherwise specifically provided for in this Ordinance, except for the following uses:

A. Principal Uses and Building

1. Single family dwelling.
2. Two (2) family dwelling.
3. Public or Parochial school.
4. Public park
5. Churches.
6. Accessory buildings and uses customarily incidental to the above principle permitted uses.
7. Off-street parking and loading requirements in accordance with Section 4-109.

Sec. 7-102 PERMITTED USES SUBJECT TO A SPECIAL USE PERMIT.

- A. Home occupations in accordance with Section 23-103.

Sec. 7-103 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

A. Lot Dimensions

- | | |
|--------------------------|---------------|
| 1. Minimum Lot width: | 50 ft. |
| 2. Minimum Lot Area: | 7,500 sq. ft. |
| 3. Maximum Lot Coverage: | 40% |

B. Maximum Building Height

- | | |
|-------------|--------|
| 1. Stories: | 3.5 |
| 2. Height: | 35 ft. |

C. Yard Setbacks

- | | | |
|----------------|--------|--------------------|
| 1. Front: | 20 ft. | (See Sec. 22-102A) |
| 2. Sides: | 7 ft. | (See Sec. 22-102B) |
| a. Total of 2: | - | (See Sec. 22-102B) |
| 3. Rear: | 20 ft. | |

D. Minimum Building Dimensions

- | | |
|---|---------------|
| 1 st Floor Area (Single Family): | 800 sq. ft. |
| 1 st Floor Area (Two Family): | 1,200 sq. ft. |

E. Accessory Buildings, Detached Garages

1. Maximum height: 21 ft.
2. Side Yard setback: 3 ft.
3. Rear Yard setback: 3 ft.
4. Front Yard setback: Must be no closer to front property line than an allowable or existing primary structure, whichever is the greater distance.
5. Maximum combined floor area of all accessory buildings: 1,000 square feet or 108 percent of the first-floor area of the primary residential building, whichever is smaller.
6. Minimum distance from main bldg.: 6 ft.
7. Maximum floor area for any single accessory building: 864 square feet.
8. Maximum Number of Accessory Buildings: 3
(amended 10/06)

ARTICLE XII. B2 - WATERFRONT BUSINESS DISTRICT

Sec. 12-101 PRINCIPAL PERMITTED USES.

In the B2 District, no uses shall be permitted, unless otherwise provided in this Ordinance, except the following:

- A. Retail shops.
- B. Restaurants, taverns, not including drive-in restaurants.
- C. Publicly owned buildings.
- D. Museums.
- E. Passenger boat ferries, except that ferry tickets shall be sold only on the premises actually used for docking ferries, embarking and disembarking passengers.
- F. Charter boat operations except that tickets shall be sold only on the premises actually used for docking the vessel.
- G. Marinas, public and private.
- H. Public utilities.
- I. Off-street parking lots.
- J. Accessory buildings and uses customarily incidental to the above Principal Permitted Uses.
- K. Off-street parking and loading in accordance with the requirements of Section 4-109.

Sec. 12-102 PERMITTED USES SUBJECT TO SPECIAL USE PERMIT.

- A. Drive-in restaurants subject to Section 23-106.
- B. Open Air Business Recreational Equipment Sales/Rental only in accordance with Section 23-109. (Amended 6/16/11)
- C. Boat repair and storage facilities.
- D. Hotels, Motels, and Motor Courts subject to 23-105.
- E. Single family dwellings when they are located within but separate from the primary business and when intended for the use or occupancy of the proprietor or owner of the business on the same or adjacent lots.
- F. Commercial and service establishments of an "Adult" nature as listed and defined herein and subject to the following conditions:
 - 1. In order to prevent such undesirable concentration of such uses, the following uses and activities shall not be located within two thousand (2,000) feet of two (2) other such uses nor within one thousand (1,000) feet of any residentially zoned district as measured along a line forming the shortest distance between any portion of the respective properties of the existing and proposed following specified uses and activities and between such uses and the adjoining residentially zoned district.
 - a. Adult book store.
 - b. Adult motion picture theater.
 - c. Adult mini motion picture theater.
 - d. Adult smoking or sexual paraphernalia store.
 - e. Host or hostess establishments offering socialization with a host or hostess for consideration.
 - f. Pool or billiard hall.
 - g. Pawnshop.

- h. Tavern or cabaret providing live or projected entertainment where intoxicating liquors may or may not be sold for consumption on the premises. "Projected entertainment" shall not include standard television reception.
 - i. Sauna, hot tub or other similar health or body improvement or enjoyment enterprises.
 - j. Any combination of the foregoing.
2. For the purpose of interpreting the application of the foregoing limitations on certain business locations, the following terms or designations shall have the following meanings:
- a. **Adult bookstore.** An establishment having, as a substantial or significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as hereinafter defined, or an establishment with a segment or section devoted to the sale or display of such material.
 - b. **Adult motion picture theater.** An enclosure with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by an emphasis on matters depicting, describing relating to "specified sexual activities" or "specified anatomical areas" as hereinafter defined for observation by patrons therein.
 - c. **Adult mini motion picture theater.** An enclosure with a capacity for less than fifty (50) persons used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas", as hereinafter defined for observation by patrons therein.
 - d. **Adult smoking or sexual paraphernalia store.** An establishment having, as a substantial or significant portion of its stock in trade, paraphernalia designed or usable for sexual stimulation or arousal or for smoking, ingesting or inhaling marijuana, narcotics or other stimulating or hallucinogenic drug-related substances.
 - e. **Pool or billiard hall.** An establishment having a substantial or significant portion of its space devoted to the game of pool, billiards, bumper pool, ping pong, darts, dice, cards or similar activities.
 - f. **Host or hostess establishment.** Establishments or clubs offering socialization with a host or hostess for a consideration to the host or hostess or for an admission or membership fee.
 - g. **Pawnshop.** An establishment where merchandise is left as security for a loan of money and abandoned if repayment of the loan has not been made within a specified period.
 - h. **Secondhand store.** An establishment where used merchandise is offered for sale as a principal portion of the business of the establishment.
 - i. **Specified anatomical areas.**
 - i. Less than completely and opaquely covered human genitals, pubic regions, buttocks and female breasts below a point immediately above the top of the areola.

- ii. Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Sec. 12-103 SITE PLAN APPROVAL.

For permitted uses and uses subject to a special use permit, a site plan shall be submitted in accordance with Section 4-117.

Sec. 12-104 AREA, HEIGHT, BULK AND PLACEMENT REQUIREMENTS.

A. Lot Dimensions

- 1. Minimum Lot Width: 50 ft.
- 2. Minimum Lot Area: 6,500 sq. ft.
- 3. Maximum Lot Coverage: -

B. Maximum Building Height

- 1. Stories: 4
- 2. Height: 45 ft.

C. Yard Setbacks

- 1. Front: 10 feet (See Sec. 22-102E)
- 2. Sides: 10% of average lot width footage as measured between side property lines, setback to be distributed within each side yard. (See Sec. 22-102G)
 - a. Minimum each side: 10 feet
 - b. Required parking for a development may be placed within 10 feet of the side property line.
- 3. Rear: 10 feet (See Sec. 22-102K)
(Amended 6/08)

D. Minimum Building Dimensions

- a. Principle Use 1st Floor Area: 500 sq. ft. (Amended: 6/03)

E. Accessory Buildings, Detached Garages

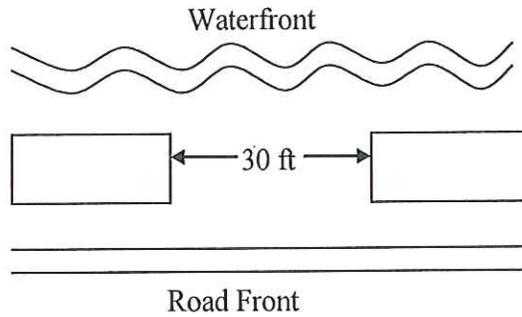
- 1. Maximum height: 21 ft.
- 2. Side Yard setback: 10 ft. (See Sec. 22-102G)
- 3. Rear Yard setback: 10 ft. (See Sec. 22-102K)
- 4. Front Yard setback: Must be no closer to front property line than existing or proposed primary structure.
- 5. Maximum floor area: 864 sq. ft.
- 6. Minimum distance from main bldg.: 6 ft.

F. Maximum Building Length

1. The maximum length of a building as measured along the portion facing the waterfront or street front shall not exceed 250 feet.

G. Minimum Clear Area / View Shed

1. Buildings located on the same lot / parcel must maintain a 30 foot separation between buildings to establish a clear area / view shed between the road front and the waterfront as depicted:



(Amended, 6/08)

ARTICLE XIV B4 - HISTORIC BUSINESS DISTRICT

Sec. 14-101 PRINCIPAL PERMITTED USES.

The B-4 district reflects the unique characteristics of Mackinaw City's historic downtown. In the B-4 Business District, no uses shall be permitted unless otherwise provided in this Ordinance, except the following:

- A. Retail shops.
- B. Restaurants and taverns, not including drive-in restaurants.
- C. Arcades and similar indoor entertainment.
- D. Custom craft shops.
- E. Bakeries, employing not more than five (5) persons per shift, exclusive of retail sales personnel.
- F. Combined retail-wholesale business when conducted entirely within a building.
- G. Publicly owned building.

Sec. 14-102 PERMITTED USES SUBJECT TO A SPECIAL USE PERMIT.

- A. Any living quarters attached to a building used for business purposes provided that:
 - 1. The living quarters shall not have less than six hundred (600) square feet.
 - 2. Minimum number of parking spaces shall be two (2) each per dwelling unit.
 - 3. Parking must be within four hundred (400) feet of the building with an approved lease agreement for the duration of the residential use.
 - 4. All parking areas and drives shall be paved.

Sec. 14-103 SITE PLAN REVIEW.

For all permitted uses and permitted uses subject to a special use permit, a site plan shall be submitted in accordance with Section 4-117.

Sec. 14-104 AREA, HEIGHT, BULK, AND PLACEMENT REQUIREMENTS.

- A. Allowable Customer Service Floor Area (percent of total lot area)
 - 1. All permitted uses except restaurant 80%
 - 2. Restaurant 50%
 - 3. Multiple uses including restaurant 50% (for entire site)
- B. Lot Dimensions
 - 1. Minimum Lot width: 25 ft.
 - 2. Maximum Lot width: 50 ft.
- C. Maximum Building Height
 - 1. Height 45 ft.
- D. Yard Setbacks
 - 1. Front: 1 ft.
 - 2. Sides (per side): -

3. Rear: 1 ft.

E. Minimum Building Dimensions.

1. 1st Floor Area: 800 sq. ft.

Sec. 14-105 SPECIAL DEVELOPMENT REQUIREMENTS.

- A. **Expansion of Building Total Ground Floor Area.** All lots to be built upon, regardless of intended or existing use, must provide two (2) paved parking spaces for each fifty (50) feet of lot width and one enclosed dumpster area. No building can expand the ground floor area if these can not be provided on-site. Those lots without the required parking spaces and dumpster enclosure can only expand vertically according to the applicable requirements.
- B. **Parking Requirements for Residential Uses.** Only residential uses and expansion of non-conforming uses must provide off-street parking as determined by the parking requirements table.
- C. **Front Walls facing public street.** All buildings must have a wall separating the product(s) sold or displayed within the store from the people walking in the open air or on a public sidewalk.
- a. No part of any building which abuts or has access to a public street may have a doorway or opening wider than 6 feet and 4 inches or taller than 7 feet.
 - b. No building may have more than one such doorway or opening for each distinct business or for each full 25 feet of property width, whichever results in the lesser number of doorways or openings. This property width shall be measured along the property line abutting the public sidewalk.
 - c. Other than a doorway with dimensions as described above and only for means of customer ingress and egress, no part of any wall abutting a public sidewalk shall remain open.
 - d. No door shall be propped open so as to extend into or across the required front setback.
 - e. Doors that are used only for access to garbage rooms and for garbage receptacle access and no customer access will be exempt from the above-listed size restrictions of this section.

(Amended Feb., 2007)

ARTICLE XXIV. ADMINISTRATION AND OPERATION

Sec. 24-101 CHANGES, AMENDMENTS.

The Village Council is authorized and empowered to cause this Ordinance, or any portion thereof, to be amended, supplemented or changed in either the district boundaries as illustrated on the zoning map or the regulations herein established, pursuant to the authority of and according to the procedures set forth in the Zoning Act, as amended.

A. The procedure for amending this Ordinance shall be as follows:

1. Each petition shall be submitted to the Village accompanied by a rezoning fee, as listed on the Permit and Application Fee Schedule held by the Village Clerk and Zoning Administrator, and then referred to the Planning Commission at the next regularly scheduled meeting.
2. The procedure for amending the ordinance, whether for rezoning or other zoning ordinance amendments will follow Section 24-105.
3. Following the public hearing, the Planning Commission shall submit a final report to the Village Council, containing a summary of the comments received at the public hearing and its recommendation on the proposed amendment(s).
4. The Village Council may hold additional public hearings on the proposed amendments if it deems such hearings appropriate. Upon receipt of the Planning Commission's final report, the Village Council may adopt the amended ordinance and maps, with or without changes, or refer the proposed amendments to the ordinance and/or maps again to the Planning Commission for further study and report.
5. Upon presentation of a protest petition against such proposed amendment to this Zoning Ordinance to the Village Council, signed by the owners of at least twenty (20) percent of the area of land in the proposed change or twenty (20) of owners of land within an area extending outward one hundred (100) feet from the boundary of the land included in the proposed change, such amendment shall not be passed except by a two-thirds (2/3) vote of all members of the Village Council. All publicly owned lands shall be excluded in calculating the twenty (20) percent land area required.
6. Following adoption of such amendment to this Zoning Ordinance by the Village Council, the Village shall publish one (1) notice of adoption in a newspaper of general circulation in the Village within fifteen (15) days after the date of adoption. The notice shall include the following information:
 - a. A summary of the regulatory effect of the amendment including the geographic area affected, or the text of the amendment.
 - b. The effective date of the Ordinance.
 - c. The place and time where a copy of the Ordinance may be purchased or inspected.

(Amended Feb., 2007)

Sec. 24-102 VIOLATION, ENFORCEMENT.

- A. Buildings or structures erected, altered, razed, or converted, or uses carried on in violation of any provision of this Ordinance are declared to be a nuisance per se. The court may order such nuisance abated, and the owner or agent in charge of such building or land or both may be adjudged guilty of maintaining a nuisance.

- B. For any and every violation of the provisions of this Ordinance, the owner, agent, architect, builder, lessee or tenant of the land or building or part thereof where violation has been committed or exists shall be guilty of a misdemeanor and the owner, agent, architect, builder or any person who commits, takes part, or assists in such violation of any of the provisions of this Ordinance, or any person who maintains any building or land in or on which such violation exists, shall be guilty of a civil infraction, and shall be punished by a fine of not more than five hundred (\$500.00) dollars for each offense, or shall be punished by imprisonment in jail for a period not to exceed ninety (90) days. If the owner, lessee, or tenant is an unincorporated association or a non-profit membership corporation, every member of such association or corporation shall be deemed guilty of a civil infraction as herein provided and subject to the penalties herein specified. Each day that a violation is permitted to exist shall constitute a separate offense.
- C. The Village or any interested party may apply to any court of competent jurisdiction to restrain any person, firm or corporation from such disobedience or threatened violation, notwithstanding such disobedience or violation may be punishable by a fine or imprisonment as above provided.

Sec. 24-103 BOARD OF APPEALS.

The Village Council shall function as the Mackinaw City Board of Appeals. The Village Clerk shall serve as Secretary of the Board. All meetings shall be open to the public. The Board shall adopt its own rules of procedure and keep a record of its proceedings, showing the action taken upon each matter considered. The Village President shall serve as Chairman of the Board and is a voting member of the Board of Appeals.

Meetings of the Board shall be held at such times and places as may be designated by the Clerk. The Clerk is authorized to call such meetings at any time when matters are pending requiring attention by the Board. The Clerk shall call such meetings whenever:

- A. A meeting is to be held as previously determined by the Board.
- B. The Clerk is so instructed by the Chairman.
- C. The Clerk is so instructed in writing by any other three members of the Board. Five (5) members shall constitute a quorum. (November 6, 1980.)

Sec. 24-104 VARIANCE AND APPEALS.

- A. A demand for a zoning appeal is received by the zoning administrator. Appeals can be filed by:
 - 1. a person aggrieved, or
 - 2. an officer, department, board, or bureau of the state or local unit of government.
- B. The Appeals Board shall have the authority to hear appeals concerning:
 - 1. All questions that arise in the administration of the zoning ordinance, including interpretation of the zoning map.
 - 2. All administrative orders, requirements, decision or determination made by an administrative official or body charged with enforcement of the zoning ordinance.
 - 3. All decisions of the zoning administrator.
 - 4. All decisions concerning site plan review.
 - 5. All decisions of the planning commission concerning special use permits.
- C. Upon receipt of a demand for appeal, the administrator will review the demand for appeal to insure it is complete and the fee is paid.

1. If the application is not complete, the administrator will return the application to the applicant with a letter that specifies the additional material required.
 2. If the application is complete, the administrator and chairman of the appeals board shall establish a date to hold a hearing on the appeal.
- D. The appeal stays all proceedings in furtherance of the action appealed, unless the body or officer from whom the appeal is taken certifies to the zoning board of appeals that by reason of facts stated in the certificate, a stay would in the opinion of the body or officer cause imminent peril of life or property, in which case proceedings may be stayed by a restraining order issued by the zoning board of appeals or a circuit court.
- E. The notices shall be given according to Section 24-105 Public Notice.
- F. The appeals board shall hold a hearing on the demand for appeal.
1. Representation at Hearing – Upon the hearing, any party or parties may appear in person or by agent or by attorney.
 2. Standards for Variance decisions by the appeals board: The appeals board shall base its decision on variances from the strict requirements of this ordinance so that the spirit of the ordinance is observed, public safety secured, and substantial justice done based on the following standards:
 - a. For non-use variances: a non-use variance may be granted by the Zoning Board of Appeals in cases where the applicant demonstrates in the official record of the public hearing that practical difficulty exists by showing all of the following:
 1. That the need for the requested variance is due to unique circumstances or physical conditions of the property involved, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic difficulty.
 2. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).
 3. That strict compliance with regulations governing area, setback, frontage, height, bulk, density or other non-use requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
 4. That the requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
 5. That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district.
 - b. For Use Variances: Under no circumstances shall the appeals board grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.
- G. If the demand for appeal is for a variance the appeals board shall either grant, grant with conditions, or deny the application. The appeals board may reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination and may issue or direct the issuance of a permit. A majority vote of the membership of the appeals board is necessary to grant a non-use variance and rule on an interpretation of the ordinance. The decision shall be in writing and reflect the reasons for the decision.

1. At a minimum the record of the decision shall include:
 - a. Formal determination of the facts,
 - b. The conclusions derived from the facts (reasons for the decision)
 - c. The decision.
 2. Within eight days of the decision the record of the decision shall be certified and a copy delivered by first class mail to the person demanding the appeal, the administrator, and other parties.
- H. Any person having an interest affected by such decision shall have a right to appeal to Circuit court within 30 days of the certified decision of the appeals board, as provided by law.

(Amended Feb.,2007)

Sec. 24-105 PUBLIC NOTICE.

24-105.1 Public Notification: All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006 and the other provisions of this Section with regard to public notification.

- A. Responsibility: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the zoning administrator shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Village of Mackinaw City and mailed or delivered as provided in this Section.
- B. Content: All mail, personal and newspaper notices for public hearings shall:
 1. Describe nature of the request: Identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
 2. Location: Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for a zoning amendment, or rezoning, or when the request is for an ordinance interpretation not involving a specific property.
 3. When and where the request will be considered: Indicate the date, time and place of the public hearing(s).
 4. Written comments: Include a statement describing when and where written comments will be received concerning the request. Include a statement that the public may appear at the public hearing in person or by counsel.
 5. Handicap access: Information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.
- C. Personal and Mailed Notice
 1. General: When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:
 - a) The owners of property for which approval is being considered, and the applicant, if different than the owner(s) of the property.
 - b) Except for a zoning amendment, or rezoning, requests involving eleven (11) or more adjacent properties or an ordinance interpretation request

that does not involve a specific property; to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the Village of Mackinaw City. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

c) All neighborhood organizations, public utility companies, railroads and other persons which have requested to receive notice pursuant to 24-105.2, Registration to Receive Notice by Mail.

2. Notice by mail/affidavit: Notice shall be deemed mailed by its deposit in the United States mail, first class, properly addressed, postage paid. The zoning administrator shall prepare a list of property owners and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.

D. Timing of Notice: Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance where applicable, notice of a public hearing shall be provided as follows:

1. For a public hearing on an application for a rezoning, text amendment, special land use, planned unit development, variance, appeal, or ordinance interpretation: not less than fifteen (15) days before the date the application will be considered for approval.

24-105.2 REGISTRATION TO RECEIVE NOTICE BY MAIL:

A. General: Any neighborhood organization, public utility company, railroad or any other person may register with the zoning administrator to receive written notice of all applications for development approval pursuant to 24-105.1.C.1.c), Personal and Mailed Notice, or written notice of all applications for development approval within the zoning district in which they are located. The Zoning Administrator shall be responsible for providing this notification. Fees may be assessed for the provision of this notice, as established by the legislative body.

B. Requirements: The requesting party must provide zoning administrator information on an official form to ensure notification can be made. All registered persons must re-register annually to continue to receive notification pursuant to this Section.

(Amended Feb., 2007)

24-106 and 24-107 RESERVED FOR FUTURE AMENDMENTS.

Chapter 12 Future Land Use Recommendations

Introduction

One of the most important parts of a Master Plan are the future land use goals. This discussion includes a review of current ways land is being used, goals for how land should be used in 20 years with graphic representation of these future land uses in the future land use map. These goals should be adhered to when changes in local ordinances are contemplated. These goals are not laws, but they guide the creation of those laws. The most direct relationship this Master Plan has in determining local laws is between this chapter, Future Land Use, with the zoning ordinance, which is the law that most directly impacts land use. State laws require that municipalities with a zoning ordinance have a Master Plan in place to guide the implementation of a zoning ordinance.

Obviously nobody can predict what will happen in the next 20 years. This vision and, hence, this Master Plan should be amended as changes occur in the Village that significantly alter the availability of services, traffic patterns, surrounding land uses, regional and national market changes, or shifts in community goals.

The future land use map was developed with consideration for community goals, as developed during a variety of public input processes. This map and future land use goals reflect current land use patterns and good planning principles. The following are a summary of factors considered in developing the future land use map and goals:

Existing Land Use

Most communities have somewhat distinct land use areas that can be divided into, at least, commercial and residential uses. These are often incompatible uses in such a way that some separation is desired. However, in most communities the people who live in the residential areas are the same people who visit the commercial areas, since these residents are the clients of the commercial businesses. In Mackinaw City, commercial corridors are not only designed to accommodate the local population, but are designed to accommodate the Village's large tourist population which can exceed 1.5 million visitors each year. Clearly there is a unique relationship between land uses in Mackinaw City which requires special consideration.

Fewer commercial land uses exist in residential neighborhoods than they did 20 years ago. As these uses have been abandoned the structures have been converted back to residential uses. In one area, along Lake Street, more uses are changing to commercial and office space. This is an area where some retail expansion could be both affordable and lucrative.

The west side of town includes many undeveloped parcels. The middle of the Village, south of Central Avenue includes many areas of wetlands and other types of soils that are less than desirable for construction. In fact, many of these areas are important natural resources because they support a healthy ecosystem.

Natural and Historic Resources

These two resources are perhaps Mackinaw City's most valuable assets. Both attract residents, business owners, and visitors alike. The most difficult task for Mackinaw City in the coming years will be balancing the desire for growth of residential and commercial uses and the absolutely essential need to preserve the natural and historic resources. Both resources are protected to some extent by state and national laws, but there are a surprising number of

Future Land Use Recommendations

historic buildings and natural resources that are not protected as well as would be expected. More local ordinances can be established to protect these resources.

Existing Zoning

Zoning in Mackinaw City meets many of the goals of the Village. The zoning is thorough for a small town, but is necessary due to the intense commercial development. The relatively new concept of form-based codes should be considered for the downtown to protect the character of the building aesthetics and allow for some flexibility in design.

Existing zoning laws require commercial development proposals to be well documented and include a thorough process of review. However, more local awareness of environmental assets in the Village is needed. Local review of more environmental aspects of commercial and residential development would ensure long-term protection of these resources.

For the most part, the zoning laws are meeting most land use goals but they should be modified to protect natural resources more, protect residential neighborhoods, allow appropriate home based businesses, allow appropriate improvements in the downtown, and protect lakefront natural resources and viewsheds in commercial and residential areas.

Existing Incompatible Uses

With so many visitors coming to Mackinaw City it is a challenge to retain a sense of community. The community has consistently supported insulation of residential uses from commercial. The homes of the northeast neighborhoods are the closest to the summer tourism activity and deserve special attention. On the west side of town, there is a strong residential character and very little commercial conflict with these areas. The potential for commercial uses along West Central Avenue's first three blocks west of I-75 should be carefully zoned to protect the residential uses that are one block north and south of West Central.

Current Utility Availability

Water and sewer systems for Mackinaw City are not typical of a town of this size and population. The summer tourism industry puts great demand on the systems. The majority of homes on the east side of the Village are on the water and sewer system while approximately 55% of the homes are served on the west side.

To date, commercial development on the east side of the Village has not met with limitations on either the water or sewer systems. Some upgrades and enlarging of some utilities will happen in the near future to meet future demand.

There are some areas of town that need access to city water or sewer in order to be developed. In the southwest corner of the Village there are some residentially zoned properties that have not been able to be developed due to lack of water and sewer utilities and poorly draining soils which make septic systems difficult. Other areas in need of utility access include the areas currently zoned manufacturing. Distance to existing utilities is the biggest limiting factor in utility expansion to these areas. Only a dense development in these areas could spur the significant expansion that would be needed.

Future Land Use Recommendations

Goals of the Community

A very important goal expressed by the community is to maintain a beautiful small town atmosphere where visitors want to be, but also to preserve the local character and community feel of the Village. This is a great challenge. Land use separation of tourist-oriented retail and lodging from the local residential neighborhoods is very important.

The future land use goals reflect areas that should be protected from commercial development with strong zoning laws. These areas, however, should have clear guidelines for appropriate home-based businesses that support a strong economy and preserve quiet, healthy neighborhoods.

As a community with a very strong dependence on the tourism industry it is also important to ensure the economy can diversify and remain strong. A community goal is to protect the viability of existing businesses and support new initiatives such as home-based businesses.

Some areas should be set aside to accommodate high-tech research firms that depend not on transportation but broadband access and high quality of life for their success and ability to recruit employees. Business incubator space should be considered to promote development of this type. The Village owns land that could be used for this purpose. A marketing campaign should be implemented by the Economic Development Corporation (EDC) and targeted toward visitors to raise awareness of Mackinaw City as a destination for business.

Future Land Use

The following is a summary of future land use categories that reflect the goals of the community. The future land use maps and land use categories' descriptions portray the vision of Mackinaw City as it should grow through the next 20 years. Figure 12-1 depicts the Future Land Use Map.

There are 17 future land use categories. They are separated into primarily two categories, residential and commercial uses because these are often the most incompatible. However, there are situations where mixed uses are encouraged, such as housing above businesses in areas where increased human activity is desired.

1 Residential Protection Area

Residential uses must be protected from tourism commercial demands on land use. Commercial demands on land in Mackinaw City create escalating property values in a few areas that have the potential to push growth beyond the existing areas into or closer to the neighboring residential areas. However, these residential areas provide crucial housing to year-round residents who have lived here a long time or move here because of their memorable summer visits. Some of the success of the tourism industry in Mackinaw City is the strength of the feeling of community that exists in the Village, providing an important sense of place. The residential neighborhoods are desirable places to live because of the protection they have had from encroachment of the tourism demands.

To adequately protect the residential neighborhoods, the plan must provide a clear commercial growth boundary restricting even mixed commercial use. Home occupations should still be allowed in all residential neighborhoods provided that uses that might impact the residential character of the area through off-site impacts such as noise, odors or customer traffic beyond normal residential levels should be controlled with strict enforcement of the special use permit requirements of such businesses.

Future Land Use Recommendations

On the map, this area is clearly defined and the boundaries should be strictly enforced. The areas inside these boundaries shall not be rezoned to non-residential districts, including mixed commercial/residential districts. From time to time, this boundary should be reviewed with careful consideration of the conflicting demands of residents and business owners in the area.

The locational criteria for this land use classification includes:

- ▶ Areas currently zoned for single family residential uses, and
- ▶ These areas, due to their location adjacent to existing commercial areas and/or along the lakeshore are under pressure for commercial development, and
- ▶ These areas currently retain their residential character with few non-commercial uses.

2 Lakefront Residential

Views of the Mackinac Bridge and the Straits of Mackinac make Mackinaw City's lakefront some of the most unique in the United States. The residential use of this lakefront has been highly valued for a long time. The community consistently expresses a desire to protect the residential needs and natural resources of this area. Only residential uses should be allowed in this district. Waterfront property, because of its relatively high costs can create demand for alternate uses of the property in order to help finance the property. Such uses that occur in many lakefront communities are seasonal rentals such as tourist homes. These can help make a future retirement home more affordable for a buyer, but they do not support residential neighborhoods. Visitors who stay nightly or even by the week often have very different needs and behaviors than a long-term resident. These can conflict.

Home occupations that do not create off-site impacts such as noise, odors or customer traffic beyond normal residential levels are the only acceptable commercial activity in this area. This allows flexibility to residents that would like to locate in Mackinaw City by providing them with the opportunity to operate a business with less startup capital thus increasing economic activity in the Village.

Natural resource protection will be very important as more lakefront parcels are divided and more homes built. Future goals of this area should include larger lakefront setbacks that include specific controls on appropriate vegetation. Lawns along the lakeshore are often causes of water pollution from fertilizer and soil erosion. Natural vegetative buffer zones along lakefront can preserve water quality and be an attractive landscaping method.

The locational criteria for this land use classification includes

- ▶ Areas adjacent to the lake shore, and
- ▶ These areas' existing uses are primarily single-family residential

3 Residential - Large Lot

Large lot, low density residential uses are very important to protect in Mackinaw City. This area should be limited to larger lots of 15,000 square feet or more and primarily residential uses. Some institutional uses can be appropriate in this area. This area can accommodate private septic systems, but where the soil types are not appropriate, sewer system expansion should be considered to protect ground water.

There are some properties which border this land use area which, with proper planning, could be developed as larger lot residential uses. Clustering of homes leaving larger open

Future Land Use Recommendations

spaces should be strongly encouraged as a method of environmental protection and preservation of open space.

The locational criteria for this land use classification includes:

- ▶ Areas not adjacent to the lake shore, and
- ▶ These areas existing use are primarily single-family residential or vacant
- ▶ The existing lots are generally 15,000 sq. ft. or larger

4 Residential - Neighborhood

Two distinct areas of the Village should be preserved as neighborhood residential use. In these areas, churches and other smaller, neighborhood scale institutional uses can be compatible. These neighborhoods help define Mackinaw City as a small town and provide a strong sense of place regardless of the influx of tourists. Single and two-family dwellings exist in these areas and should be encouraged.

The borders of these land use areas include some mix of land uses including some non-conforming commercial uses. Consistent comments from the public indicate that these areas should be protected from further intrusion of these neighborhoods by commercial activity. However, home occupations which are compatible with residential uses should be encouraged.

The locational criteria for this land use classification includes:

- ▶ Areas not adjacent to the lake shore, and
- ▶ These areas existing use are primarily single-family residential or compatible uses, and
- ▶ The existing lots are generally 7,500 sq. ft. in size

5 Residential Buffer

The R-4 district within the protection area should be retained to provide a residential buffer area between the core commercial areas and the traditional residential areas of the Village. Uses in this area shall be residential in nature with single and two family residences, bed and breakfasts, and home occupations. The extension of commercial activities in this district should be prohibited to retain the residential character of the neighborhood and protect the Village's unique sense of place.

6 Residential - Multi-family

Only a few small areas are set aside for multi-family residential uses. Multi-family residential plays an important role in providing affordable housing opportunities to promote housing within the Village. A unique multi-family residential need occurs seasonally when employees arrive from out of town and often other countries to assist with summer retail and hotel work. Old hotels are most often used to house these seasonal workers in commercial districts. Consideration should be given to define this type of dormitory housing need, which is different from year around multi-family use.

The multi-family future land use areas include the few existing apartment buildings and some surrounding areas that could serve as apartments to serve future demand. Housing for older people should be especially encouraged with special accommodations for transit pick up areas, sheltered entrances, and reduced parking requirements. Seasonal rental of residential structures in this area is very appropriate.

Future Land Use Recommendations

The locational criteria for this land use classification includes

- ▶ Areas not adjacent to the lake shore, and
- ▶ These areas are already used for multi-family purposes or are in an area of mixed residential and non-residential uses, and
- ▶ Are lots that are large enough to provide adequate parking

7 Residential – Open Space/Clustering/Agriculture

Clustering of homes allows for preservation of open space and natural resources. Clustering also creates a community of homes that share parks, walking trails, or small gardens. These types of developments encourage healthier lifestyles and natural preservation. Such communities should encourage walking and cycling on pathways and community gathering places.

Active adult communities is an increasingly popular term to describe residential developments for people over 55 years of age who are looking for a simple, low maintenance lifestyle with many opportunities for exercise and outdoor activities. This type of community is always commonly planned, usually with community buildings where planned activities are provided. Greenways often connect the communities with other natural areas such as parks and downtowns.

This area in the Village can include existing agricultural uses, encouraging niche businesses on these existing parcels such as wagon rides, bed and breakfasts, equestrian farm, and similar agriculture-oriented commercial activity.

Also desired for this part of the Village is consideration of renewable energy systems. Wind turbines and solar panels are two examples of such systems that would be an integral part of creating an environmentally sustainable residential or agricultural development. The homes should be energy efficient and linked by non-motorized trails both within the development and with downtown Mackinaw City for better opportunities for non-motorized transportation throughout the Village.

The locational criteria for this land use classification includes

- ▶ Areas not adjacent to the lake shore, and
- ▶ These areas are currently used primarily for residential or agricultural purposes, and
- ▶ Are located on the outer edges of the Village

8 Mixed Commercial Residential

For the most part, commercial and residential uses are less compatible. However, in the right mix and location, these can be complimentary. This particular area should encourage this mix. Residential uses in this area are already located very close to commercial activity and, in fact, share the same block with these uses. An ideal use for this area is work/live artisan shops where the artist works and lives in the same place.

Commercial uses appropriate for this area include small retail, small office space. Residential uses should be single and two family dwellings. Building heights in this area should be kept to two stories. Pedestrian movement should be encouraged with links to South Huron Avenue. Public access, if designed appropriately could begin with the Village-owned parcel on the west edge of the lake.

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Development that should not be permitted in this area is hotel/motel use. Also, ferry boat parking should be limited to the current locations and vacant or non-residential lots.

The locational criteria for this land use classification includes

- ▶ The area of existing mixed use between Railroad Street and the former railroad right-of-way, and
- ▶ Areas not fronting on Huron Avenue

9. General Commercial

This area includes a wide mix of commercial activity including some employee and elderly housing. There are regional retail stores serving regional residents mixed in with tourism retail and some small lodging establishments. There are also office spaces and small medical offices appropriately located in this area. Hotels are also very appropriate in this area.

Height limitations similar to those proposed as part of the Lakefront Commercial Viewshed Protection area that are necessary to protect the view from I-75 towards the lake are appropriate as an essential element of the Village's sense of place.

Single family homes and larger scale manufacturing are not appropriate in this area. More appropriate are pedestrian scale shopping, banks and other similar institutional uses. These areas are also a gateway for the tourists so the aesthetics are very important. Additional requirements for sidewalks and pedestrian access provided by the developers in areas where streetscape improvements are not already provided are very appropriate.

The locational criteria for this land use classification includes

- ▶ The area south of Central Avenue and east of I-75 not adjacent to the lake, and
- ▶ not set aside for tourism/lodging or mixed commercial/residential zoning

10 Commercial - Tourism Lodging

This land use area includes both sides of Huron Avenue between Shepler's Ferry Boat property to the north and the Village limits to the south. This area has historically seen very dense development where hotels and parking lots for these hotels and ferry boats have dominated the land uses. Some retail is mixed in with the lodging along with small office spaces along Lake Street in first block west of Huron Avenue.

Pedestrian-oriented development is very appropriate for this area and should be encouraged. Existing streetscapes should be enhanced with pedestrian scale development along the street, with benches, entrances directly to the public sidewalks and a mix of uses along the west side of South Huron Avenue. Building height should be lower along the sidewalk. Form-based codes should be considered as a means of creating pedestrian scaled environments along the sidewalk and allowing buildings to reach their maximum height gradually away from the right of way. Building height and placement for parcels along the lake should be regulated per the Lakefront Commercial Viewshed Protection sub-area.

Uses desirable in this area serve primarily visitors while providing parkland which serves both visitors and residents alike. Appropriate uses include fish market, public parks, hotels, and restaurants. Other tourist-oriented uses can include vacation real estate sales, visitor information offices, small convenience stores, and ferry boat docks and parking.

Future Land Use Recommendations

The locational criteria for this land use classification includes

- ▶ The area on both sides of Huron Avenue between Shepler's Ferry Boat property to the north and the Village limits to the south, and
- ▶ not set aside for mixed commercial/residential zoning

11 Commercial - Downtown Tourism

The heart of the tourism activity in Mackinaw City is in the eastern most two blocks of East Central Avenue, Mackinaw Crossings pedestrian mall, and the first block of Langlade. This area has a variety of uses that are appropriate and compatible, but most are retail. Other compatible uses are office space for businesses that support tourism, restaurants, taverns, arts and crafts galleries, museums, and amusement attractions. Also, outdoor cafes and work/live combination uses should be strongly encouraged. Candy stores and unique food item stores should be encouraged especially where the customer experiences the making of the item.

Parking in the downtown should be reviewed often for supply and demand. Pavement for parking would be a poor use of land in this densely developed area. Public parking areas should be preserved and expanded as appropriate. Private parking should be kept to a minimum while meeting the expected growth. Existing required ratios of parking spaces and customer floor space in the zoning ordinance should be reviewed.

Pedestrian access to the stores should be considered the primary mode of transportation in the downtown. Additional but minimal signs should be permitted to accommodate both cars and pedestrians.

The locational criteria for this land use classification includes

- ▶ The area on both sides of East Central Avenue from Huron Street to Nicolet Street and both sides of Langlade from East Central Avenue to Etherington Street, and
- ▶ not set aside for tourism/lodging zoning

12 Lakefront Commercial Viewshed Protection

This is a sub-area of the Commercial Tourism Lodging and Public Recreation land use areas which requires extra attention to preserve the views of Lake Huron and Mackinac Island. Included in this sub-area are the properties between the Lake Huron and the Huron Avenue right of way. This includes Shepler's Ferry Service property at the east end of East Central Avenue.

One of the primary reasons for visitors to come to Mackinaw City is the view of the lake. It is one of our greatest natural resources. Retaining views of the lake from public areas is very important to keep the value of the visitors' experience. Viewshed protection can be implemented using a variety of land use controls. Larger setbacks that remain clear of all structures including taller plants can allow views of the lakes for pedestrians and even autos as they drive by.

The corridor of South Huron Avenue for its entire length within Mackinaw City is a gateway corridor, providing a first view of Mackinaw City for many visitors who have taken either the first exit from I-75 or US 23 from Cheboygan. The views of Lake Huron along this corridor more solidly place the lake in people's minds as they arrive in the Village. Building width, as measured parallel to South Huron Avenue and Lake Huron, can be limited so that these wider setbacks occur more often and prevent larger hotels from dominating the landscape.

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It is also worth mentioning that hotels are a vital part of the Mackinaw City economy and should not be restricted from this area, simply controlled in their growth.

The locational criteria for this land use classification includes

- ▶ All non-residential parcels adjacent to the lake and
- ▶ Located from Shepler's Ferry Service property south to the Village boundary

13 Natural Resources Protection

Over half of the land use coverage in Mackinaw City includes forest, wetlands, or open space. A large proportion of these land uses that are also the most in need of protection are in the geographical middle of the Village. This area should allow only land use that is compatible with and respectful of natural resources. Most of the land in this area is not suitable for development due to soil types and existing wetlands. It is an important part of the area's ecosystem and requires strong limitations on development. Recreational uses such as campgrounds, parks, and very low density, clustered housing are appropriate uses here.

The locational criteria for this land use classification includes

- ▶ Property that is undeveloped, and
- ▶ Includes a significant proportion of natural features such as wetlands, forest or open space

14 Commercial - Mixed Office/Tourism Service

The west side of Mackinaw City close to I-75 is a mix of commercial and residential uses. Land use trends over the last 10 years show a growth of commercial and multi-family residential and fewer single family residences. The commercial activity has consisted primarily of businesses serving both local residents and visitors.

Future land uses in the area immediately adjacent to Louvigny Street and nearest I-75 should focus on tourism and office businesses. The area has recently experienced a new streetscape improvement project. New businesses may include, but are not limited to hotels, restaurant, retail and office space. Multi-family apartment living would be a very appropriate use that is in high demand seasonally in Mackinaw City. Such apartments would be most appropriate on a second floor of a retail building.

Single family residential uses in this area should be encouraged mostly beginning nearest to West Central Avenue beginning on the third block and going further west. West Etherington Street should include multi-family up to the second block, with single family uses only from the third block farther west.

The locational criteria for this land use classification includes

- ▶ Areas with an existing mix of commercial and residential uses, and
- ▶ Located west of I-75 and east of DuJaunay Street.

15 Institutional/Business Incubation

This land use category is shown in the future land use map in two distinct areas. One area is a larger parcel of land owned by the Village along West Central Avenue across from the cemetery that can be developed as a mixed use development. Uses could include municipal offices, high tech offices, large lot residential, townhouses, and other residential

Future Land Use Recommendations

types. If developed, the parcel's layout should consider buffer areas between existing residential areas and new development.

Another area for future institutional and business incubation uses is located along Trailsend Road. There are some Village-owned properties in this area that are well-suited for a high-tech office development. Village ownership provides an opportunity to recruit new businesses and provide a business incubator form of lease arrangement.

The locational criteria for this land use classification includes

- ▶ Areas designated on the Future Land Use Map or
- ▶ Village owned property along Trailsend Road

16 Public/Recreation/Municipal Use

This land use area includes public lands owned by the Village, the State of Michigan, Emmet County, and the Mackinaw Area Public Schools. They are all lands that are used by the public in some way for recreation. This includes Department of Natural Resources land that is a multi-use recreational pathway and trailhead. This trail is used for non-motorized recreation in the summer and snowmobiling in the winter.

The locational criteria for this land use classification includes

- ▶ Areas designated on the Future Land Use Map or
- ▶ Other land acquired by the Village, the State of Michigan, the Mackinaw Area Public Schools, or Emmet County or Cheboygan County

17 High Tech Research/Very Light Industry

This area is very small and is reserved for very low impact industry such as high technology research offices with limited outdoor presence. Some well screened, solid fence enclosures would be required if the business had any outdoor testing facilities.

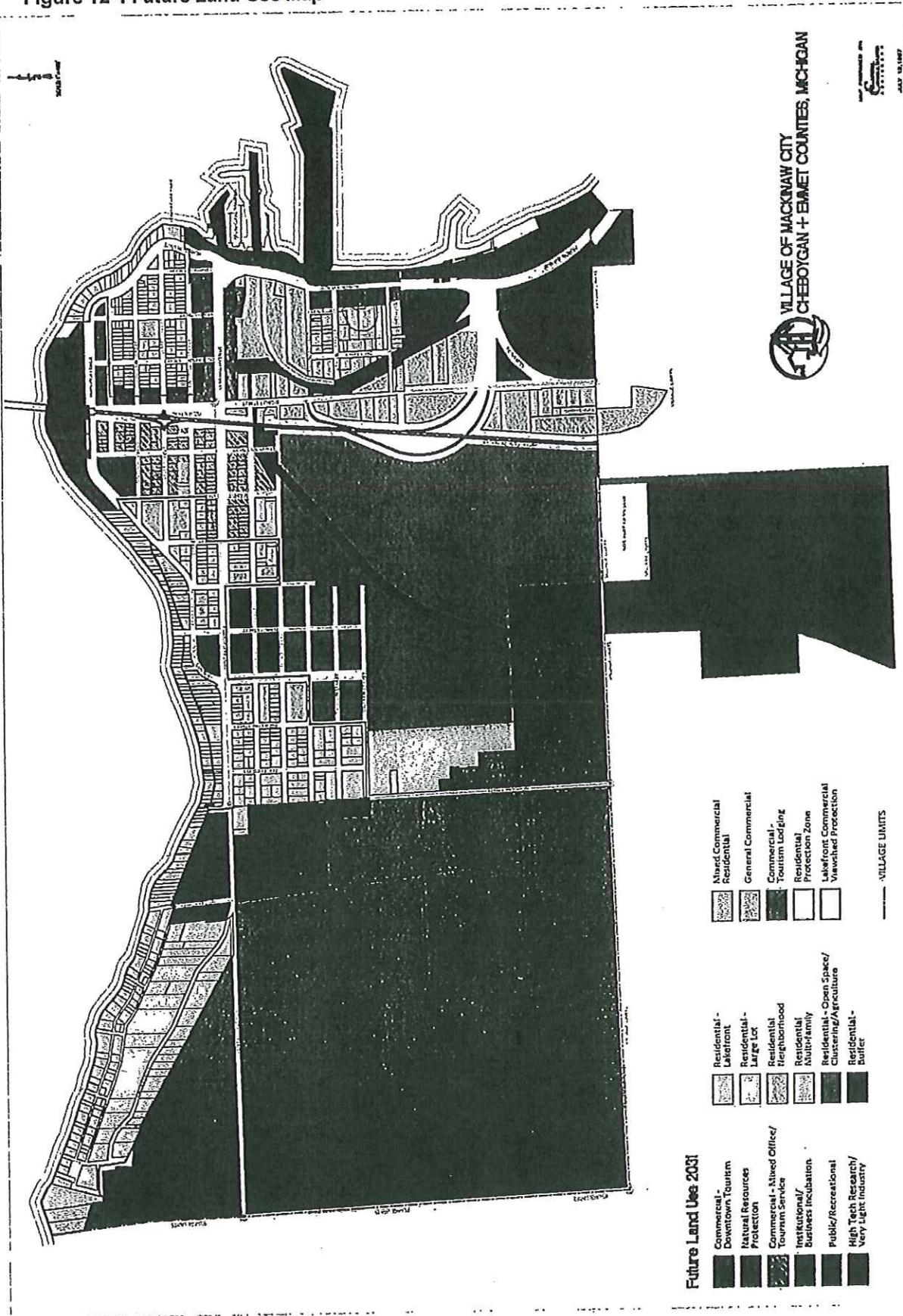
High technology research is a recognized high-growth, low impact industry that would be very compatible with Mackinaw City's goals as long as care is taken in design and placement of such facilities. Air quality and low noise impact should be requirements of such businesses.

This area should also be considered for sexually oriented businesses to provide for the needed buffer to reduce the impact these businesses have on residential and commercial districts.

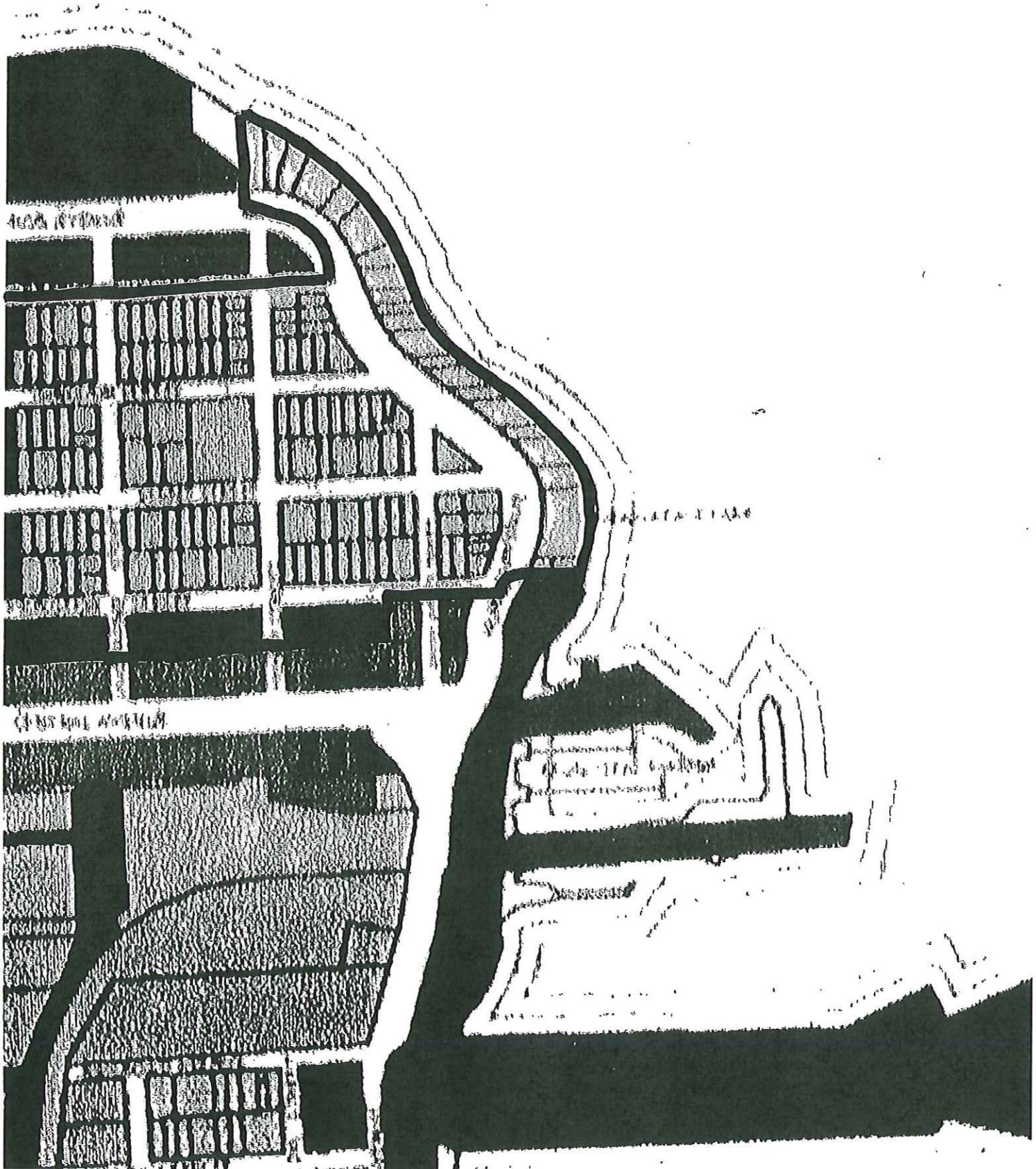
The locational criteria for this land use classification includes

- ▶ Areas designated on the Future Land Use Map

Figure 12-1 Future Land Use Map



MAP # 1

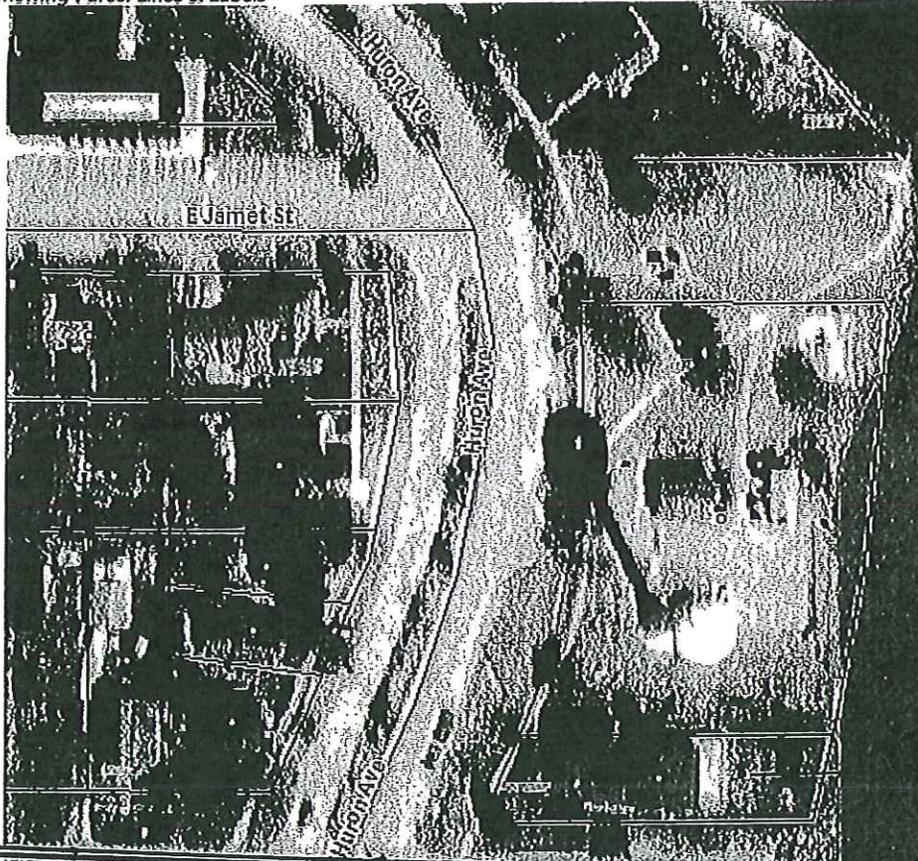


MAP # 2

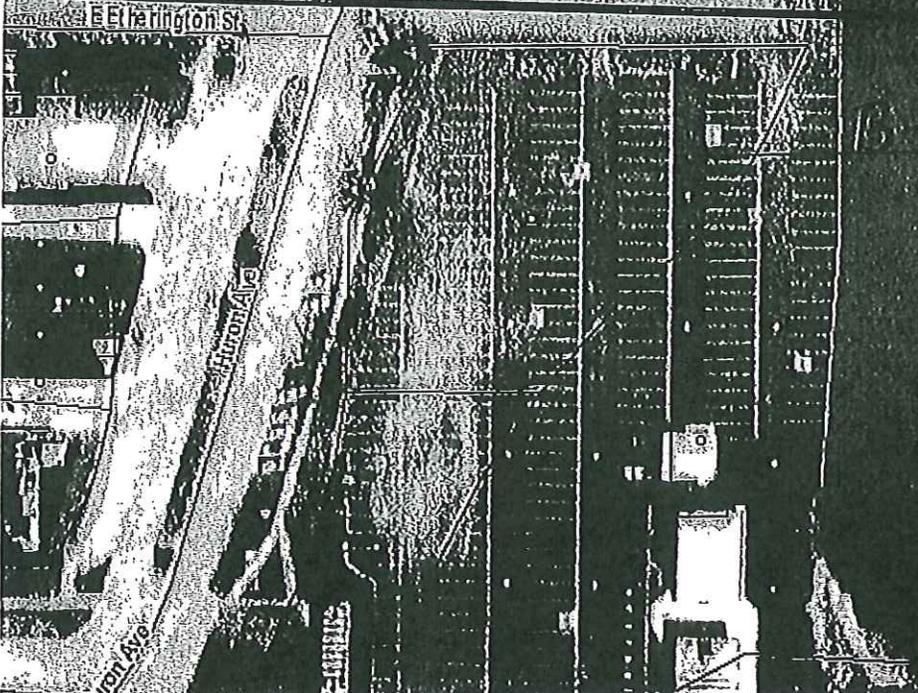
Aerial photos are from 2008 for zoom levels 3-9 and 2012 for levels 1-2

Showing Parcel Lines & Labels

R-3



B4



Aerial photos are from 2008 for zoom levels 3-9 and 2012 for levels 1-2

The original photographs used on this web site were provided by the Cheboygan County Planning Office. The photos for zoom level 3-9 were collected in the spring of 2008. The 'best resolution' of these images is 0.5 feet (6 inch) per pixel. The photos for zoom level 1-

Aerial Photo Map