



CITY OF ROOSEVELT PARK
City of Roosevelt Park
PLANNING COMMISSION
AGENDA
March 27, 2023
6:00 p.m.

1. Call to Order
2. Roll Call
3. Approve minutes of the January 30, 2023 regular meeting
4. Public Hearing-
 - a. Rezoning Request-3145 Henry Street- 61-25-16-000-0041-00
 - b. SLU Request-1534 Chapel-61-25-544-000-0894-00
5. Unfinished Business-None
6. New Business
 - a. Planning Commission Decision-Rezoning Request-3145 Henry Street
 - b. Planning Commission Decision-SLU Request-1534 Chapel
 - c. Planning Commission Application-Recommendation to Approve
7. Commission Members Questions/Comments
8. Public Comment
9. Adjournment

American Disability Act Compliance: For access to open meetings of the City Council and any of its committees or subcommittees, the City of Roosevelt Park will provide necessary reasonable auxiliary aids and services, to individuals with disabilities who want to attend the meeting, upon twenty-four hour notice to the City of Roosevelt Park. Individuals with disabilities requiring auxiliary aids or services should contact the City of Roosevelt Park, City Clerk by writing or calling, 231-755-3721 or call the following: TDD: Dial 7-1-1 and request a representative to dial 231-755-3721.



City of Roosevelt Park
Planning Commission
Meeting Minutes
January 30, 2023
6:00 pm

This meeting was called to order by Commissioner Bob Jakubowski at 6:00 p.m.

PRESENT: Commissioners: Mayor Aaron Langlois, Michael Sutton, Richard Isacson,
City Manager Jared Olson, Tyra Jonas, Donald Nilson-Hinton

ABSENT: Amber Weerstra

2023-001 **Roll Call**
City Clerk Ann Wisniewski called roll call.

2023-002 **APPROVAL OF MINUTES:**
Mayor Langlois moved to accept the minutes of the September 26, 2022 meeting. This motion was supported by Commissioner Sutton and carried unanimously.

2023-003 **PUBLIC HEARING:**
4A. Rezoning Request – 3145 Henry Street
City Manager Olson moved to open the public hearing on the rezoning, of 3145 Henry Street. This was supported by Commissioner Jonas and carried unanimously. Ana Pelhank & George Troth from Meritage Hospitality Group explained the purpose for the rezoning request.

- 2023-004** **PUBLIC COMMENT:** on rezoning request -3145 Henry Street
Richard and Cindy Brown 3166 Lindland Road, shared comments
John Sanocki 926 Hampden Road, shared comments
Harmany Delashmit 3171 Lindland Road, shared comments
Brad Brushman 864 Hampden Road, shared comments
Greg Neiser 3197 Eastland Road, shared comments
Resident 1250 Princeton Road, shared comments
Drew Bernard 3178 Lindland Road, shared comments
Jeff Keesler from Mckenna and Associates
- 2023-005** **CLOSE PUBLIC HEARING:** Rezoning Request 3145 Henry Street
Commissioner Jonas moved to close the public hearing on the rezoning,
of 3145 Henry Street. This was supported by Commissioner Nilson-Hinton
and carried unanimously.
- 2023-006** **PUBLIC HEARING:**
4B. Special Land Use Request – 3145 Henry Street
Mayor Langlois moved to open the public hearing on the SLU request of
3145 Henry Street. This was supported by Commissioner Nilson-Hinton
and carried unanimously.
- 2023-007** **PUBLIC COMMENT:** on SLU-3145 Henry Street
Ana Pelhank Meritage Hospitality Group explained proposal.
George Troth Meritage Hospitality Group
John Sanocki 926 Hampton, shared comments
Harmony Delashmit 3171 Lindland Rd shared comments
Drew Bernard 3178 Lindland Rd shared comments
Cindy Brown 3166 Lindland Rd shared comments
- 2023-008** **CLOSE PUBLIC HEARING:** SLU – 3145 Henry Street
Mayor Langlois made a motion to close the public hearing on the SLU
Of 3145 Henry Street, this motion was supported by Commissioner,
Jakubowski and carried unanimously.
- 2023-009** **NEW BUSINESS:**
6A. Planning Commission Decision- Rezoning Request -3145 Henry St.
Mayor Langlois moved to recommend the zoning amendment as
presented and send it to the City Council meeting set for February
6,2023. for approval. This motion was supported by Commissioner,
Nilson-Hinton.
Roll Call: 6 Ayes, 1 Nay (Jonas), 1 Absent (Weerstra), motion passes.

6B. Planning Commission Decision – SLU Drive Through Request 3145 Henry St.

Mayor Langlois moved to recommend the approval as presented for the SLU request for 3145 Henry street contingent upon the passing of 6A. Rezoning of 3145 Henry St. and send it to the City Council meeting set for February 6, 2023. for approval. This motion was supported by Commissioner Olson.

Roll Call: 5 Ayes, 2 Nays (Jonas, Olson), 1 Absent (Weerstra), motion passes.

2023-010 COMMISSION MEMBERS QUESTIONS/COMMENTS:

Commissioners asked questions.
City Manager Olson shared city updates.

2023-011 PUBLIC COMMENT:

Richard Brown 3166 Lindland Rd. shared comments

2023-012 ADJOURNMENT:

The meeting was adjourned at 8:10 p.m.

Ann Wisniewski, City Clerk



**CITY OF ROOSEVELT PARK
PLANNING COMMISSION MEETING
March 27, 2023**

Rezoning Request-3145 Henry Street	Date: March 27, 2023
<p>Due to a processing error in the property measurement system for the January 2023 rezoning request of 3145 Henry Street, several additional property owner notices were subsequently required to be mailed. This resulted in needing to hold a new public hearing per the current statutory requirements after the notice was mailed out again. The official notice that was mailed is included and has been verified to be sent to ALL property owners who's property or a portion of there property is within three hundred feet of the perimeter of 3145 Henry Street.</p> <p>This is the same identical request by the same applicant from January and per the ordinance, the same process must be followed for the public hearing and notification following this corrected and statute fulfilling mailing notice of the rezoning. The applicant had also requested a Special Land Use approval, however that process will reoccur in the coming months as they hope to rework and improve their site plan and use proposal based on feedback from neighbors, the Planning Commission, and the City Council.</p> <p>The owners and applicant of 3145 Henry Street have submitted a request to rezone the property from the current C-E Henry Commercial/Family Residential to a singularly zoned parcel of C-E Henry Commercial.</p> <p>The single parcel in question currently has most of the property zoned CE-Henry Commercial with the smaller west portion of the same parcel being zoned as Single Family Residential. As such, the current zoning to the north, south, and east of the property are currently commercially zoned and thus this would not create a singularly zoned “island.” The request fulfills what was already approved by the Planning Commission and the City Council in the 2020 Roosevelt Park Master Plan in which the future land use map utilizes a full commercial zoning for the property. That map along with the application and documents is attached.</p>	
<p>Staff Recommendation: Following the public hearing on the proposed rezoning the Planning Commission can either recommend the zoning amendment as presented or they can recommend that it not be approved.</p>	
Signature:	Title: City Manager



City of Roosevelt Park REZONING APPLICATION

900 Oak Ridge Road
Muskegon, MI. 49441
Phone: (231) 755-3721
Fax: (231) 755-1442

1. **APPLICANT:** Name: Restaurant Holdings LLC
(Last) (First) (M.I.)
Address: 45 Ottawa Ave SW Suite 600, Grand Rapids MI 49503
(No. & Street) (City) (State) (Zip)
Phone: 616-988-8749 gtroth@mhgi.net
(Work) (Home) (Cell) (email address)

2. **OWNER:** Name: Restaurant Holdings LLC
(Last) (First) (M.I.)
Address: 45 Ottawa Ave SW Suite 600, Grand Rapids MI 49503
(No. & Street) (City) (State) (Zip)
Phone: 616-988-8749 gtroth@mhgi.net
(Work) (Home) (Cell) (email address)

3. **REQUEST:** To Rezone From: R-1 Single Family Residential To: C-E Henry Commercial East

4. **LEGAL DESCRIPTION OF PROPERTY:** CITY OF ROOSEVELT PARK CRANBROOK ADDITION
LOTS 41 TO 46 INC (According to Muskegon County GIS)

5. **ADDRESS OF PROPERTY:** 3145 Henry Street, Muskegon, MI 49441

6. **PRESENT USE OF PROPERTY:** Professional Offices

7. **NAMES & ADDRESSES OF ALL OTHER PERSONS, FIRMS, OR CORPORATIONS HAVING A LEGAL INTEREST IN THE PROPERTY:** NA

8. **APPLICANT'S SIGNATURE:**
X [Signature] Date: 01/06/23

9. **OWNER'S SIGNATURE:**
X _____ Date: _____

-OFFICIAL USE ONLY-	
CASE NO:	_____
FILING DATE:	_____
REC'D BY:	RECEIPT NO: _____
PC ACTION:	DATE: _____
BOARD ACTION:	DATE: _____
EFFECTIVE DATE:	_____

\$350 Fee must be submitted with application

January 9, 2023
2221132

Mr. Jared Olson
City of Roosevelt Park
900 Oak Ridge Road
Roosevelt Park, MI 49441

RE: 3145 Henry Street – Rezoning Application

Dear Mr. Olson:

This letter addresses the proposed Map Amendment (Rezoning) for the following Property:

Address: 3145 Henry Street
Muskegon MI 49441
PIN: 61-25-164-000-0041-00

The applicant requests the rezoning (Existing Zoning: Single Family Residential to Proposed Zoning: C-E Henry Commercial East) of Lots 41, 44, and 45 of the property described as follows: Lots 41-46, inclusive, Cranbrook Addition, as recorded in Liber 15 of Plats, Page 62, Muskegon County, State of Michigan. Granting this rezoning request would bring the entire parcel into the C-E Henry East zoning district.

The following are explanations of how the property will meet the Roosevelt Park Map Amendment Standards:

Consistency

The parcel's current land use is commercial (surface parking). The Roosevelt Park Plan (Master Plan January 2020) Existing Land Use Exhibit shows the lots being commercial, and the Future Land Use Exhibit shows the lots being Corridor Mixed Use, which includes commercial uses.

Compatibility

The existing use (surface parking) is allowed in the C-E Henry Commercial East zoning district. The existing use (surface parking) and potential uses can be found in the vicinity of Henry Street, both north and south of the parcel.

Capability

The infrastructure including streets, sanitary sewers, storm sewer, sidewalks, and street lighting is sufficient to support those uses provided within the proposed zoning district classification. This is demonstrated by the existing commercial office building, surface parking, and surrounding uses within the C-E Henry Commercial East zoning district.

Mr. Jared Olson
January 9, 2023
Page 2

Existing City Facilities and Services

The rezoning, of the lots will not have an adverse effect on city facilities and services as the parcel's existing use is commercial (surface parking). Granting the rezoning will bring the lots into compliance with the current zoning and The Roosevelt Park Plan (Master Plan).

Sincerely,

Prein&Newhof



Jeffery A. Miller, PLA

JAM/jam

Enclosure(s):

City of Roosevelt Park Rezoning Application

Fees

cc:

Ana Pelhank, Meritage Hospitality Group

George Troth, Meritage Hospitality Group

John VerPlank, Prein & Newhof



City of Roosevelt Park

A Proud Community

Dear Resident/Property owner

The below public notice is required by ordinance to be mailed via first class mail to all property owners within three hundred feet of the below stated property in reference to the applicant's request to rezone the parcel. This is very similar to a mailing that was sent out in January of 2023 in which the same applicant submitted the identical request.

Due to a process error in the property measurement system of those January 2023 notices, several additional property owner notices were subsequently required to be mailed. This has resulted in this letter being received by the majority of neighbors within three hundred feet for a second time and is a near duplicate notice to those notified in January.

This is the same identical request by the same applicant from January and per the ordinance, the same process must be followed for the public hearing and notification following this corrected and statute fulfilling mailing notice of the rezoning. The applicant had also requested a Special Land Use approval, however that process will reoccur in the coming months as they hope to rework and improve their site plan and use proposal.

NOTICE OF PUBLIC HEARING CITY OF ROOSEVELT PARK

NOTICE IS HEREBY GIVEN, pursuant to Public Act 110 of 2006, as amended, that a public hearing will be held by the City of Roosevelt Park Planning Commission At 6:00 p.m., Monday March 27, at the Roosevelt Park City Hall, 900 Oakridge Road, Roosevelt Park, Michigan. The purpose of the public hearing is as follows:

A public hearing regarding a proposed rezoning of the single parcel 61-25-164-000-0041-00 (3145 Henry Street) from existing split zoning of Single Family residential and C-E Henry Commercial East to the single proposed zoning of C-E Henry Commercial East which includes lots 41-46 of the Cranbrook Subdivision which is the existing single property parcel of 61-25-164-000-0041-00.

Any questions pertaining to this request should be directed to the City Clerk at 231-755-3721. The application may be reviewed at City Hall and written comments, may be received until March 27, 2023, at 900 Oak Ridge Road, Roosevelt Park MI 49441. ADA Policy: The City will provide necessary appropriate auxiliary aids and services to individuals with disabilities who want to attend the meeting upon forty-eight (48) hour notice to the City Clerk of Roosevelt Park, 900 Oak Ridge Rd. 231-755-3721.

Ann Wisniewski
City Clerk

Mailed via First Class Mail: March 15, 2023

CHAPTER 15
ADMINISTRATION AND ENFORCEMENT

SECTION 15.1 RESPONSIBILITY

- A. **Deputy Administrator** - Where the provisions of this Ordinance authorize or direct the Zoning Administrator to perform any act or carry out any function, such act or function may also be carried out by a deputy or deputies designated by the City Manager.
- B. **Basic Duties** - The Zoning Administrator shall have the power to grant certificates of zoning compliance and to make inspections of premises necessary to carry out his/her duties in the enforcement of this Ordinance, and to otherwise carry out the duties assigned herein.
- C. **Official Zoning Map** - The Zoning Administrator shall be responsible for maintaining the Official Zoning Map.
- D. **Violations** - The Zoning Administrator shall order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings or structures; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with, or prevent violations of its provisions.

SECTION 15.2 ZONING ORDINANCE AMENDMENTS, INITIATION

- A. **Timeframe for Application Submittal** - All applications for amendments to the Zoning Ordinance shall be submitted to the Zoning Administrator at least twenty-one (21) days prior to the first consideration by the City Planning Commission.
- B. **Initiation of Amendments and Application Requirements** - Requests for amendments to the Zoning Ordinance may be initiated in writing by the owner of the property requested for rezoning, or his/her authorized representative. Requests may also be made by the City Planning Commission or the City Council through official action of the Commission or Council taken at a public meeting which has been properly noticed as required by law.

In the case of an amendment requested by a property owner or his/her authorized representative, the request shall include the following:

- 1) Completion of a Zoning Amendment Application as provided by the Zoning Administrator. Said application to include:
 - a. The name and address of the person making the request and all persons having a legal or equitable interest in any land which is requested to be rezoned.
 - b. In the case of a text amendment, the specific section to be amended and the proposed text change.
 - c. If the requested amendment requires a change in the zoning map, the

common address, legal description of the area requested for change, and present and proposed district classifications shall be provided. The applicant shall also indicate by map form, the location of the property requested for rezoning. Sufficient copies of the map shall accompany the original application.

If, in the opinion of the Zoning Administrator, Planning Commission, or City Council, the information submitted does not provide a clear delineation of the specific area to be rezoned, said Zoning Administrator, Planning Commission, or City Council shall require the applicant to submit a boundary survey of the property in question. Said survey to include a written legal description and drawing of the area to be rezoned. The boundary survey, including legal description and map, shall be completed by a Land Surveyor registered by the State of Michigan. Sufficient copies of the boundary survey shall be provided.

- d. The nature of the amendment shall be fully identified in writing.
- e. Payment of all fees as required by the City of Roosevelt Park.

SECTION 15.3 AMENDMENT PROCEDURE

After submission of the application and fee, amendments to this Ordinance shall be processed as provided for in the Zoning Act.

SECTION 15.4 CONSIDERATION OF AMENDMENT

The following guidelines shall be used by the Planning Commission and City Council pursuant to consideration of amendments to the Zoning Ordinance:

A. Text Amendment

1. The proposed text amendment would correct an error in the Ordinance.
2. The proposed text amendment would clarify the intent of the Ordinance.
3. The proposed text amendment would address changes to the state legislation, recent case law or opinions from the Attorney General of the State of Michigan.
4. The proposed text amendment would promote compliance with changes in other City Ordinances and County, State or Federal regulations.
5. In the event the amendment will add a use to a district, said use shall be fully consistent with the character of the range of uses provided for within the district.
6. The amendment shall not result in problems of incompatibility among land uses within a zoning district, or among adjacent districts.
7. The proposed text amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.

8. As applicable, the proposed change shall be consistent with the City's ability to provide adequate public facilities and services.
9. The proposed change shall be consistent with the City's desire to protect the public health, safety, and welfare of the community.

B. Map Amendment (also known as a Rezoning)

The following standards are to be used before making a map amendment. The first three (3) numbered items are often called the "3 C's" and are fundamental to rezoning questions:

1. **Consistency** with the goals and policies listed in the Master Plan section of this Ordinance. If conditions have changed since the development of the Master Plan provisions, then decisions shall be based on consistency with recent development trends in the area.
2. **Compatibility** of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district. The potential uses allowed in the proposed zoning district shall be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.
3. **Capability** of the existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting to sufficiently support those uses provided for within the proposed zoning district classification.
4. Existing City facilities and services including, but not limited to, police and fire protection, recreational facilities, educational facilities, and waste collection shall have sufficient capacity to support those uses provided for within the proposed zoning district classification.
5. The proposed change shall be governed by sufficient standards to ensure that the potential for problems of incompatibility between the proposed and adjoining districts shall be minimal.
6. The requested rezoning will not create an isolated and unplanned spot zone.
7. The proposed change shall not endanger the public health, safety, or welfare.
8. Other factors deemed appropriate by the Planning Commission.

SECTION 15.5 ZONING COMPLIANCE PERMITS

- A.** Unless otherwise exempted by this Ordinance, the construction, erection, alteration, expansion, moving, repair, or use of any land, building, or structure shall require receipt of a zoning permit and issuance of a certificate of zoning compliance. No building permit shall be issued for the construction, erection, alteration, expansion, moving or repair of any building or other structure until a certificate of zoning compliance has been issued therefore. Issuance of such a certificate shall indicate

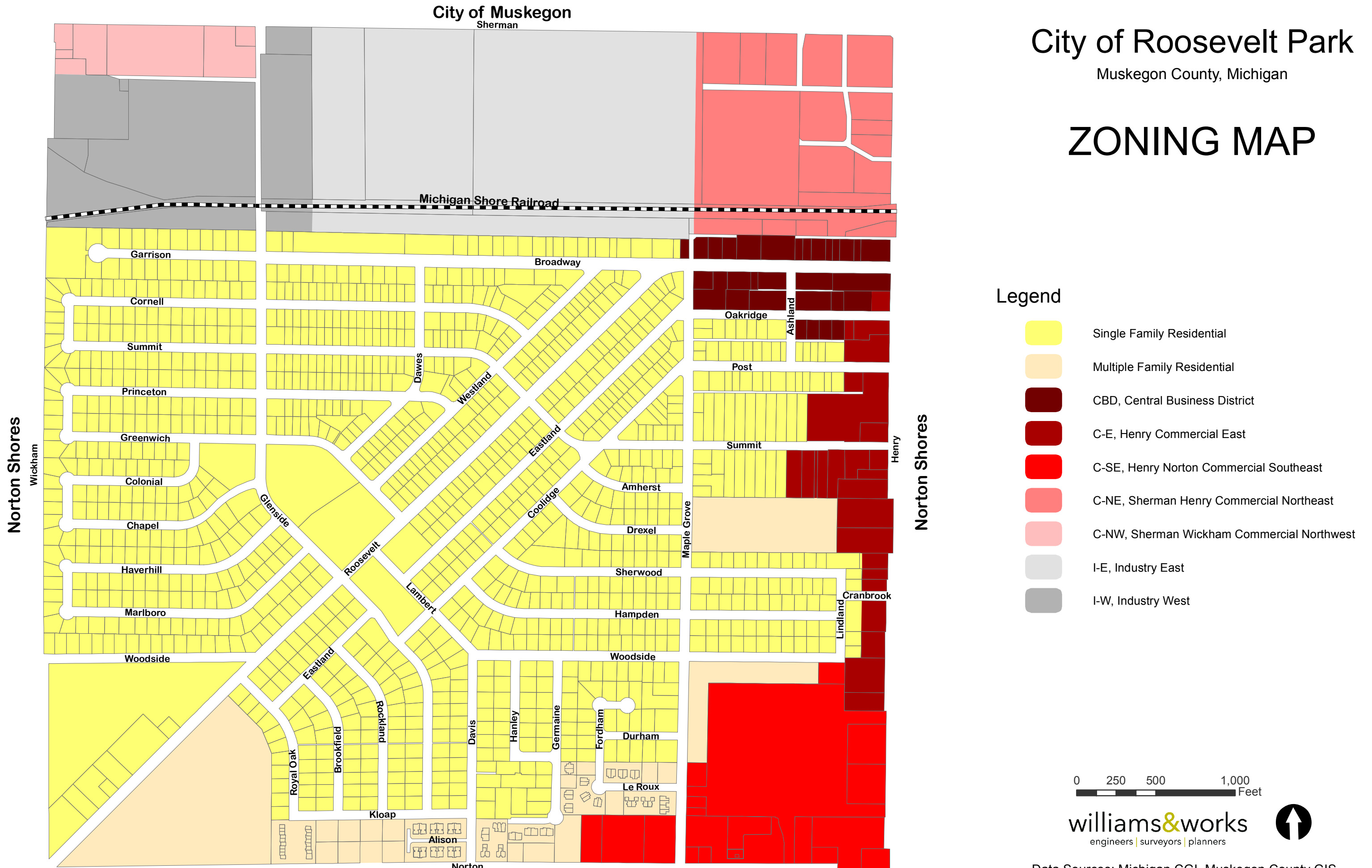
City of Muskegon

Sherman

City of Roosevelt Park

Muskegon County, Michigan

ZONING MAP



Legend

- Single Family Residential
- Multiple Family Residential
- CBD, Central Business District
- C-E, Henry Commercial East
- C-SE, Henry Norton Commercial Southeast
- C-NE, Sherman Henry Commercial Northeast
- C-NW, Sherman Wickham Commercial Northwest
- I-E, Industry East
- I-W, Industry West



williams&works
engineers | surveyors | planners














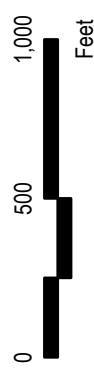
Data Sources: Michigan CGI, Muskegon County GIS

Future Land Use

City of Roosevelt Park, Michigan

January 20, 2020

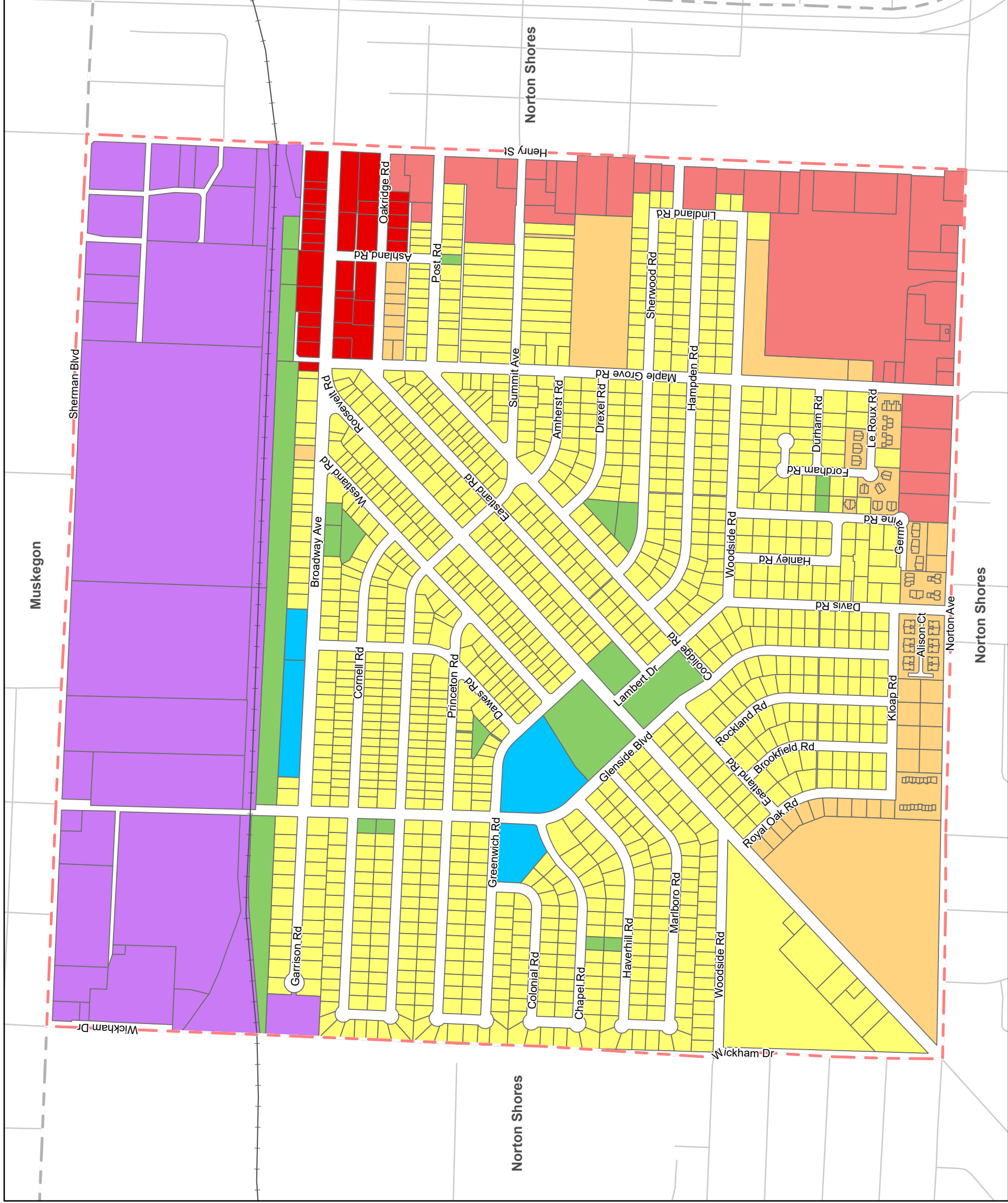
- Legend**
-  Roosevelt Park Boundary
 -  Other Municipal Boundaries
 -  Roads
 -  Railroads
 -  Neighborhood Preservation
 -  Park
 -  Institutional
 -  Multi-Family
 -  Enterprise
 -  Downtown
 -  Corridor Mixed Use



SOURCES
 Basemap Source: Michigan Center for Geographic Information, Version 17a.
 Data Source: Muskegon County Parcel Data 2020; Mckenna 2020.



MCKENNA



City of Roosevelt Park

To: Planning Commission

From: Jared Olson, City Manager

Date: March 21, 2023

Subject: Planning Commission Meeting – **Monday, March 27, 2023**
City Hall, 6:00 PM

Agenda Items:

1. Special Land Use – 1534 Chapel Road

The City received an application for a special land use (SLU) for a group sized in home daycare at 1534 Chapel Road which is zoned single family residential. According to the Zoning Ordinance which is included within this packet, this requested use requires a special land use permit.

The SLU process is detailed in Chapter 10 of the Zoning Ordinance and the attached application is ready for your consideration. As indicated in the Zoning Ordinance Section 10.3, a public hearing is required as part of the SLU procedure.

The proposed project consists of utilizing a current home located at 1534 Chapel Road as group in-home daycare facility which limits the total number of children from seven to no more than twelve at any given time. Please see the attached application for a complete description of the proposal. The packet also contains a site plan description, an aerial view of the project and several other sets of information as required by the SLU language within the ordinance.

Section 10.4 (C) of the Zoning Ordinance explains the General Standards to be used to make a determination on the SLU application.

1. The proposed use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity.
2. The proposed use is served by necessary public facilities which are adequate or can be made adequate to serve the proposed use.
3. The proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property.
4. The proposed use shall not involve activities, processes, materials, and equipment and conditions of operation that will have a significant impact to any person, property, or the

general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

5. The proposed use shall be consistent with the intent and purpose of the Ordinance.
6. The site plan for the proposed use demonstrates compliance with any special land use specific design standards contained in Section 10.6 section J.

Along with the proposed requirements within zoning section 10.4, the following are required of group in home day cares in order to receive a SLU permit.

10.6 Section J- Group day care homes.

1. The dwelling's exterior and property shall be maintained in a manner that is compatible with the surrounding area and does not change the residential character of the neighborhood. No sign shall be permitted, and no evidence of the day care facility shall be visible from any street or adjoining property.
2. The lot shall contain the minimum area required for the district, plus one thousand eight hundred (1,800) square feet.
3. An outdoor play area of at least one thousand eight hundred (1,800) square feet shall be provided in the rear yard. Such play area and any other outdoor areas accessible to children shall be completely enclosed with a fence at least four (4) feet high, but not more than six (6) feet high.
4. The day care operation shall be restricted to Monday through Friday only and between the hours of 7:00 a.m. and 6:00 p.m.
5. No group day care facility shall be established within one thousand five hundred (1,500) feet of any existing group day care home.
6. The facility shall comply with all other applicable State licensing regulations.

The Planning Commission will need to make a recommendation to the City Council using the information provided to you in the packet and received from the applicant during the public hearing. From a Zoning standpoint, the proposed SLU permit application is complete and fulfills all required standards within the proposed used and district.

A recommendation from the Planning Commission to approve, approve the request with amended and/or additional terms and conditions or deny the request is the first step in the Special Land Use process. The recommendation is then forwarded to the City Council for their consideration.



FOR CITY USE

P.C. Date: March 27, 2023
Date and Time Received February 21, 2023
Received By: C. Christensen Front Desk
Date Returned if Incomplete: _____
Returned By: _____
Revised Application Recd: _____
Received By: _____

SPECIAL USE PERMIT REQUEST

NOTE TO APPLICANT:

The Roosevelt Park Planning Commission meetings are held on the fourth Monday of each month at 7 p.m. at the City Hall. All applications must be submitted **30 days** prior to the next regularly scheduled Planning Commission meeting to allow City staff sufficient opportunity to conduct an administrative review prior to submission to the Planning Commission. Any application received without sufficient time for City staff to conduct review will be held until the next regularly scheduled Planning Commission meeting. City Council meetings are held the first and third Monday of every month at 7:15 p.m. at the City Hall. An application fee of \$250.00 must be paid at the time of application.

The Planning Commission and/or City Council have the right to request additional information from an applicant prior to making a decision regarding the Special Use Permit application. The Planning Commission and/or City Council may table or hold a request for a reasonable period of time until the requested information is provided. Applicants are expected to attend the Planning Commission and City Council meetings to explain their request and to answer questions or comments from the Planning Commission and City Council or others who may be present. All meetings of the Planning Commission and City Council are open to the public.

GENERAL REQUIREMENTS:

The Planning Commission will be reviewing the site plan of the proposed Special Use to ensure conformance with the City’s guidelines and regulations. The purpose of this review is to protect the health, safety and welfare of Roosevelt Park’s residents and to ensure the compatible, logical use of property. The criterion that may be used in performing this review is outlined in the City’s Zoning Ordinance.

In order to process a request, the applicant must submit a completed application form with the detailed information specified in Chapter 10 of the City’s Zoning Ordinance. Twelve

(12) copies of the application and accompanying plans/details must be submitted. This information will be forwarded to the Planning Commission with notes and comments from the City staff regarding the City's review of the application.

After completing their review of the proposed site plan, the Planning Commission will forward a recommendation to the City Council. The City Council may choose to conduct a public hearing of its own. The City Council will consider all information pertaining to the request, including comments and advisories by City staff. Once this has been done, the City Council will then consider the proposed Special Use Permit and will take one of the following actions:

- They will approve the requested Special Use Permit subject to the terms, conditions and restrictions outlined in the application;
- They will approve the proposed Special Use Permit with additional terms, conditions and restrictions as determined by the City Council;
- The City Council will deny the requested Special Use Permit. An explanation for the City Council's denial will be provided to the applicant.

Persons aggrieved by the decision of the City Council regarding the granting or denial of a Special Use permit may file an appeal to have the decision reviewed by the Roosevelt Park Zoning Board of Appeals. Application forms for the Zoning Board of Appeals are available at City Hall.

SPECIAL USE PERMIT APPLICATION
REQUIRED INFORMATION:

I. Name of Applicant/Owner requesting the Special Use Permit.

A. Applicant

1. Name(s) Katie Eikenberry, Aaron Eikenberry
2. Address(s) 1534 Chapel Rd.
3. Phone(s) (231) 750-2521 (231) 750-1936

B. Owner of property if different than above.

1. Name(s) _____
2. Address(s) _____
3. Phone(s) _____

II. Location of Property

A. Parcel number, legal description, street name and number if assigned:

Roosevelt Park No 4 Lot 894

B. A drawing(s) indicating all of the following information shall also be submitted with the application (such drawing shall be to scale). Special Use Permit requests not seeking final site plan approval may not need to submit all of the items identified. Please indicate on the application if you are seeking preliminary or final site plan approval.

1. Small scale sketch of an area within one quarter (1/4) mile of the subject property showing the property location;
2. Date of preparation/revision;
3. Name, address, and professional seal of the preparer;
4. The topography of the site at a minimum of five (5) foot intervals and its relationship to adjoining land;
5. Existing man-made features;
6. Dimensions of setbacks, locations, heights and size of buildings and structures, including the locations of existing buildings or structures within one-hundred (100) feet of the property;
7. Street rights-of-way, indicating proposed access routes, internal circulation, relationship to existing rights-of-way, and curb cuts within one-hundred (100) feet of the property;

8. Proposed grading;
9. Location, sizes, and type of drainage, sanitary sewers, water services, storm sewers, and fire hydrants;
10. Location, sizes, and type of fences, waste receptacles, landscaping, buffer strips and screening;
11. Location, sizes and type of signs and on-site lighting, including information regarding lighting levels at the edges of the site;
12. Proposed parking areas and drives. Parking areas shall be designated by lines showing the individual spaces and shall conform with the provisions of the Zoning Ordinance on parking;
13. Any public and private easements;
14. Dimensions and number of proposed lots;
15. Significant natural features, and other natural characteristics, including but not limited to open space, stands of trees, flood plains, lakes and other significant natural features;
16. Building elevations.

C. You may also include photographs or other exhibits if you feel they aid in clarifying your request.

III. Nature of Request

A detailed description of the requested Special Use should be provided in the space below. Be very specific in describing the project, referring to applicable sections of the Zoning Ordinance when possible. The description should include a detailed timeline for the implementation of the project. Attach additional sheets if necessary.

We are requesting special use of our land to operate
a group day care home for infants, toddlers and
preschoolers from the hours of 7:00 am - 6:00 pm. (Sec 10.6)
our business will not contradict the residential character
of the neighborhood or obtain the appearance of a
commercial business (Sec 10.6 J.1.). We will be using
the inside of our home which will be compliant
with state licensing regulations as well as our
rear fenced in yard for play and care of children
(Sec. 10.6 J.3. and J.6.). Our business will be operated
in a fashion that is respectful to neighbors and
surrounding areas (Sec 10.4 C.3-4). our projected
timeline to begin our business is as follows:

- 1) Complete Childrens Nursery - By Jan. 15, 2023
- 2) Become officially licensed - By March 1, 2023
- 3) Take Application - By April 1, 2023
- 4) start Day Care - May 1, 2023

(Sec 10.6 J.4.)

IV. Basis for Approving the requested Special Use

In the space below, the applicant should outline how the proposed site plan and requested Special Use complies with the standards for granting a Special Use Permit. Attach additional sheets if necessary.

The special use of our property will adhere to the zoning ordinance of Roosevelt Park. The Day Care Business will be adequately served by necessary public facilities. The proposed land use will demonstrate and remain in compliance with any specific requirements of special land use for Group Day Care Homes.

V. Effect of Request on Other Properties

1. If the proposed use is approved, what effect will there be regarding the demand placed on governmental facilities?

No extra demand should be placed on governmental facilities due to the special use of our property.

2. Will a substantial change be effected in the character of the neighborhood or will a substantial detriment be created for adjoining properties?

Although some noise may be apparent due to the nature of caring for children (children playing, crying, etc) we will do everything possible to eliminate and reduce noise so it does not become a substantial detriment to adjoining properties. As vehicles arrive for child pick up and drop off we will create a system for a smooth transition as to not disturb the flow of traffic or the blocking of any roads / neighbors driveways.

PROCESSING PROCEDURE:

- I. Upon completion of the above information and submission of the application and related materials and/or exhibits, the request will be scheduled to appear before the Planning Commission. This meeting will only be scheduled when it is found that your application is complete and all information is included.
- II. The Planning Commission will consider the request at their next scheduled meeting. The applicant will be given an opportunity to explain their request to the Planning Commission. It will be at the discretion of the Chair of the Planning Commission whether or not to allow or hear public comments or questions regarding the proposed site plan. The Planning Commission will consider all the information provided to them regarding the request. This will include staff reports and advisories. Once the Planning Commission has gathered all of the information necessary to make a decision, they will make a recommendation to the City Council to take one of the following actions:
 - A. Approve the requested Special Use Permit subject to the terms and conditions set forth in the application.
 - B. Approve the requested Special Use Permit subject to amended and/or additional terms and conditions the Planning Commission determines reasonable and appropriate to maintain the public health, safety and welfare. This may also include financial or other guarantees that will ensure compliance with the stated terms of approval.
 - C. Deny the requested Special Use Permit as not being in the public interest and as being contrary to the basic spirit and intent of the Zoning Ordinance.
- III. The City Council will consider the recommendation of the Planning Commission at the first Council meeting after receiving the recommendation. The City Council may or may not take additional comments and input from the public. The City Council may or may not follow the recommendation of the Planning Commission and will choose one of the three options outlined under II.

ACKNOWLEDGEMENT AND CERTIFICATION:

It is hereby acknowledged that the applicant(s) has fully read and completed the above application. It is also understood that any approval of the Planning Commission and City Council regarding this Special Use Permit does not relieve the applicant from obtaining other applicable authorization, (for example: building and electrical permits, business license, etc.). The applicant(s) also understands that the submission of incomplete or inaccurate information will only result in delays.

Signature of Petitioner

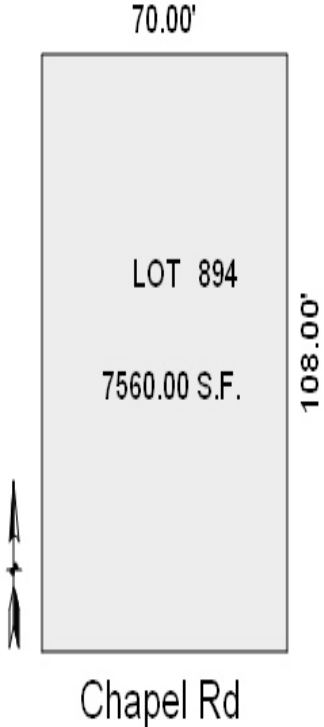
Date

Signature of Petitioner

Date

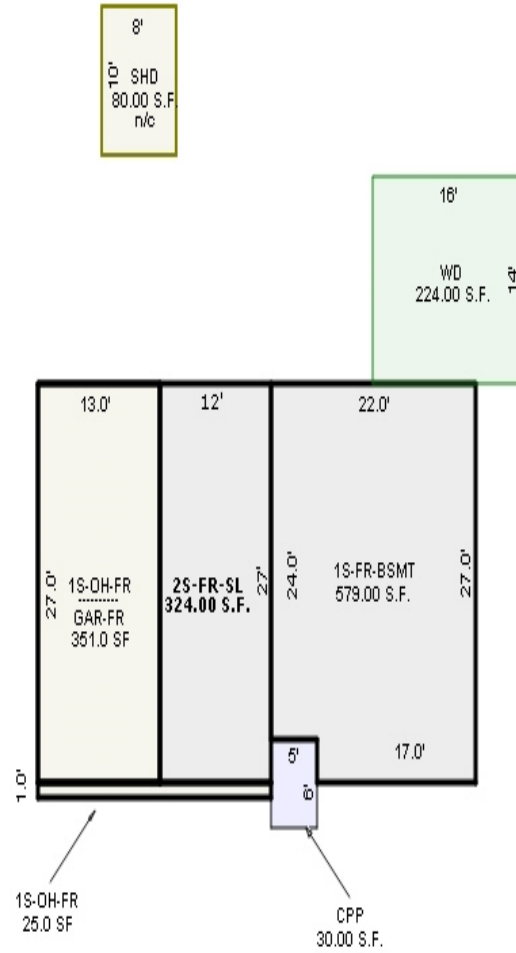
Signature of Owner if different than petitioner

Date



Sketch by Apex Medina™

*** Information herein deemed reliable but not guaranteed***



Sketch by Apex Medina™

*** Information herein deemed reliable but not guaranteed***

You are currently running an experimental version of Earth.

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Perimeter

110.07 m



Area

730.21 m²



Start new

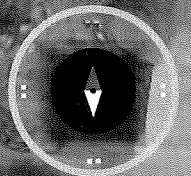


Google Earth

Imagery date: 6...

10 m

Camera: 295 m 43°11'50"N 86°16'5...



- SERVICES**
- Public Records Search
 - All Record Search
 - Assessing Search
 - Current Tax Search
 - Delinquent Tax Search
 - Property Sale Search
 - Utility Billing Search
 - PERFORMANCE DATA
 - MI Community Financial Dashboard
 - Performance Dashboard
 - EMPLOYMENT OPPORTUNITIES
 - All Employment Opportunities (List)
 - Search for Employment Opportunities
 - Employment Opportunities Near Me
 - View My Profile
 - MUNICIPALITIES
 - Select a Municipality
 - Recent
 - Muskegon County
 - Oakland County
 - City of Muskegon
 - Oshtemo County
 - Grand Haven Township
 - City of Grand Haven
 - Georgetown Township
 - Brandon Township
 - City of Hudsonville
 - Holland Charter Township
 - ACCOUNT
 - Parents Account
 - Parents Account Email
 - Account Settings
 - Remote Assistance
 - Sign Out

1534 CHAPEL RD MUSKEGON, MI 49441 (Property Address)

Parcel Number: 25-544-000-0264-00

Property Owner: EIKENBERRY AARONKATIE

Summary Information

- Residential Building Summary
- Year Built: 1964
- Full Baths: 2
- Sq Feet: 1603
- Bedrooms: 4
- Half Baths: 0
- Acres: 0.174

Assessed Value: \$68,300 | Taxable Value: \$74,332
Property Tax Information Fund

Property Information | Tax Information | Delinquent Tax Information

Jump To: Owner and Taxpayer Information | General Information for Tax Year 2022 | Land Information | Legal Description | Land Division Act Information | Sale History | Building Information - 1603 sq ft MULTI-LEVEL (Residential)

Click here to add this parcel to your favorite records for easy access on your next visit.

Owner and Taxpayer Information

Owner	EIKENBERRY AARONKATIE 1534 CHAPEL RD MUSKEGON, MI 49441	Taxpayer	SEE OWNER INFORMATION
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General Information for Tax Year 2022

Property Class	401 RESIDENTIAL-IMPROVED	Unit	25 CITY OF ROOSEVELT PARK
School District	MONA SHORES SCHOOL DISTRICT	Assessed Value	\$68,300
MAP #	RP-RP40E24	Taxable Value	\$74,332
USER NUM IXX	0	State Equalized Value	\$98,300
USER ALPHA 1	No Data to Display	Date of Last Name Change	10/21/2016
USER ALPHA 3	No Data to Display	Notes	No Data to Display
Historical District	No	Genesis Block Group	No Data to Display
USER ALPHA 2	No Data to Display	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date	10/21/2016	
Principal Residence Exemption	June 1st	Final
2022	100.0000 %	100.0000 %

Previous Year Information

Year	MSOR Assessed	Final SEV	Final Taxable
2021	\$69,500	\$89,500	\$71,948
2020	\$63,400	\$83,400	\$70,955
2019	\$60,200	\$80,200	\$69,632

Land Information

Zoning Code	SFR	Total Acres	0.174
Land Value	\$18,000	Land Improvements	\$972
Renaissance Zone	No	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	R4 OR RES/541-545	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	70.00 ft	108.00 ft
Total Frontage: 70.00 ft		Average Depth: 108.00 ft

Legal Description

CITY OF ROOSEVELT PARK ROOSEVELT PARK NO 4 LOT 834

Land Division Act Information

Date of Last Split/Combine	No Data to Display	Number of Splits Left	Not Available
Date Form Filed	No Data to Display	Unallocated Dirs of Parent	0
Date Created	01/01/0001	Unallocated Dirs Transferred	0
Acres of Parent	0.00	Rights Were Transferred	Yes
Split Number	0	Courtesy Split	No
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page	Comments
09/23/2016	\$135,000.00	VD	SRUBA DENNIS J REVOCABLE TRUST	EIKENBERRY AARONKATIE	03-ARMS LENGTH	4101721	CONV
04/15/2016	\$0.00	OTH	SRUBA DENNIS J		21-NOT USED/OTHER	4101719	DEATH CERTIFICATE
10/10/2011	\$105,000.00	VD	DEWITT RICHARD A MARY A	SRUBA DENNIS J REVOCABLE TRUST	03-ARMS LENGTH	3033587	119 DOM.CASH

Building Information - 1603 sq ft MULTI-LEVEL (Residential)

General

Floor Area	1603 sq ft	Estimated TCV	\$163,436
Garage Area	633 sq ft	Basement Area	579 sq ft
Foundation Size	1,254 sq ft		
Year Built	1964	Year Remodeled	No Data to Display
Occupancy	Single Family	Class	C
Effective Age	38 yrs	Tri-Level	Yes
Percent Complete	0%	Heat	Forced Heat & Cool
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	Public Water
1st Floor Rooms	0	Sewer	Public Sewer
2nd Floor Rooms	0	Style	MULTI-LEVEL
Bedrooms	4		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
1 Story	Basement	Siding	579 sq ft	1 Story
2 Story	Slab	Siding	324 sq ft	2 Story
1 Story	Bk-In Gar	Siding	351 sq ft	1 Story

Area Detail - Overhangs

Area	Story Height	Exterior	Included in Size for Rates
25 sq ft	1 Story	Siding	No

Exterior Information

Brick Veneer	264 sq ft	Stone Veneer	0 sq ft
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Basement Finish

Recreation	0 sq ft	Recreation % Good	0%
Living Area	746 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Future Bath	2
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Garage Information

Area	351 sq ft	Exterior	Siding
Foundation	42 inch	Common Wall	1 Wall
Year Built	No Data to Display	Finished	No
Auto Doors	0	Mech Doors	1

Porch Information

CRP	30 sq ft	Foundation	Shallow
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Deck Information

Treated Wood	224 sq ft
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*Disclaimer: BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or implied. Please contact your local municipality if you believe there are errors in the data.



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 - Property Sale Search
 - Utility Billing Search
- PERFORMANCE DATA
 - MI Community Financial Dashboard
 - Performance Dashboard
- EMPLOYMENT OPPORTUNITIES
 - All Employment Opportunities (Local)
 - Search for Employment Opportunities
 - Employment Opportunities Near Me
 - View My Profile
- MUNICIPALITIES
 - Select a Municipality
 - Recent
 - Muskegon County
 - Oceana County
 - City of Muskegon
 - Oceana County
 - Grand Haven Township
 - City of Grand Haven
 - Georgetown Township
 - Brandon Township
 - City of Hudsonville
 - Holland Charter Township
- ACCOUNT
 - Patricia Averill
 - Patricia.Averill@gmail.com
 - Account Settings
 - Remote Assistance
 - Sign Off

1634 CHAPEL RD MUSKEGON, MI 49441 (Property Address)
Parcel Number: 25-544-000-004-00



Property Owner: EIKENBERRY AARONKATIE

Summary Information

- Residential Building Summary
 - Year Built: 1964
 - Full Baths: 2
 - Sq Feet: 1603
- Bedrooms: 4
- Half Baths: 0
- Acre: 0.174

Assessed Value: \$58,300 | Taxable Value: \$74,322
Property Tax Information Fund

Property Information | Tax Information | Delinquent Tax Information

Jump To: [Owner and Taxpayer Information](#) | [General Information for Tax Year 2022](#) | [Land Information](#) | [Legal Description](#) | [Land Division Act Information](#) | [Sale History](#) | [Building Information - 1603 sq ft MULTI-LEVEL \(Residential\)](#)

Click here to add this parcel to your favorite records for easy access on your next visit.

Owner and Taxpayer Information

Owner	Taxpayer	SEE OWNER INFORMATION
EIKENBERRY AARONKATIE 1534 CHAPEL RD MUSKEGON, MI 49441		

General Information for Tax Year 2022

Property Class	MOCHA SHORES SCHOOL DISTRICT	Unit	25 CITY OF ROOSEVELT PARK
Assessed Value	\$58,300	Assessed Value	\$58,300
Taxable Value	\$74,322	Taxable Value	\$74,322
State Equalized Value	\$58,300	State Equalized Value	\$58,300
Date of Last Name Change	10/21/2016	Date of Last Name Change	10/21/2016
Notes	No Data to Display	Notes	No Data to Display
Census Block Group	No Data to Display	Census Block Group	No Data to Display
Exemption	No Data to Display	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date	10/21/2016
Principal Residence Exemption	
2022	100.0000 %
Final	100.0000 %

Previous Year Information

Year	MEOR Assessed	Final SEV	Final Taxable
2021	\$59,600	\$59,900	\$71,943
2020	\$83,400	\$53,400	\$70,555
2019	\$50,200	\$50,200	\$59,632

Land Information

Zoning Code	SFR	Total Acres	0.174
Land Value	\$18,000	Land Improvements	\$972
Renaissance Zone	No	Renaissance Zone Expiration	No Data to Display
ECF Neighborhood	RE-01 RES-541-545	Mortgage Code	No Data to Display
Lot Dimensions/Comments	No Data to Display	Neighborhood Enterprise Zone	No

Lot #	Frontage	Depth
Lot 1	70.00 ft	108.00 ft
Total Frontage:	70.00 ft	Average Depth: 108.00 ft

Legal Description

CITY OF ROOSEVELT PARK ROOSEVELT PARK NO 4 LOT 6M4

Land Division Act Information

Date of Last Split/Combine	No Data to Display	Number of Splits Left	101 of 10000
Date Form Filed	No Data to Display	Unallocated Dirs of Parent	0
Date Created	01/01/2001	Unallocated Dirs Transferred	0
Acreage of Parent	0.00	Rights Were Transferred	Yes
Split Number	0	Country Split	No
Parent Parcel	No Data to Display		

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Libor Page	Comments
09/23/2016	\$135,000.00	VD	SRUBA DENNIS J REVOCABLE TRUST	EIKENBERRY AARONKATIE	03-ARM'S LENGTH	4101721	CONV
04/15/2016	\$0.00	OTH	SRUBA DENNIS J	SRUBA DENNIS J	21-NOT USED/OTHER	4101719	DEATH CERTIFICATE
10/10/2011	\$105,000.00	VD	DEWITT RICHARD A MARY A	SRUBA DENNIS J REVOCABLE TRUST	03-ARM'S LENGTH	3833587	119 DDM/CASH

Building Information - 1603 sq ft MULTI-LEVEL (Residential)

General

Floor Area	1,603 sq ft	Estimated TCV	\$158,426
Garage Area	638 sq ft	Basement Area	579 sq ft
Foundation Size	1,254 sq ft		
Year Built	1964	Year Remodeled	No Data to Display
Occupancy	Single Family	Class	C
Effective Age	36 yrs	To Level	Yes
Percent Complete	0%	Heat	Forced Heat & Cool
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	Public Water
1st Floor Rooms	0	Sewer	Public Sewer
2nd Floor Rooms	0	Style	MULTI-LEVEL
Bedrooms	4		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
1 Story	Basement	Siding	579 sq ft	1 Story
2 Story	Slab	Siding	324 sq ft	2 Story
1 Story	Br-In Gar	Siding	351 sq ft	1 Story

Area Detail - Overhangs

Area	Story Height	Exterior	Included in Size for Rates
25 sq ft	1 Story	Siding	No

Exterior Information

Brick Veneer	264 sq ft	Stone Veneer	0 sq ft
--------------	-----------	--------------	---------

Basement Finish

Recreation	0 sq ft	Recreation % Good	0%
Living Area	746 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Future Bath	2
---------------	---

Garage Information

Area	638 sq ft	Exterior	Siding
Foundation	42 inch	Common Wall	1 Wall
Year Built	No Data to Display	Finished	No
Auto Doors	0	Mech Doors	1

Porch Information

CPP	30 sq ft	Foundation	Shallow
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Deck Information

Treated Wood	224 sq ft
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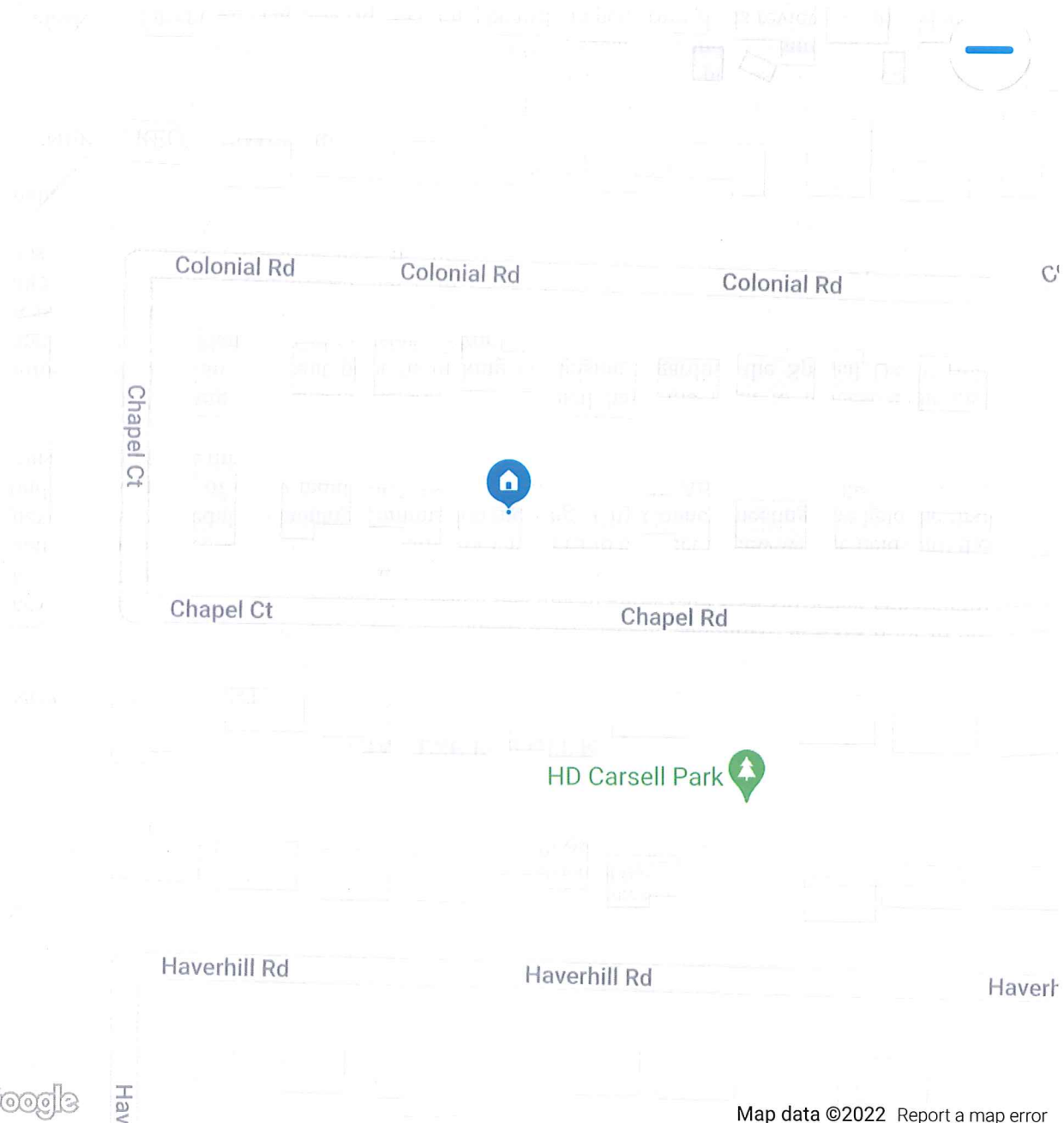


Directions

Save Home

Share

Road Satellite Lot lines



1534 Chapel Rd
Muskegon, MI 49441

Map data ©2022 Report a map error

ZONING APPROVAL FOR GROUP CHILD CARE HOMES
Michigan Department of Licensing and Regulatory Affairs
Bureau of Community and Health Systems

Licensee Name: Eikenberry, Katie Lynn

Licensee Address: 1534 Chapel Rd.

Muskegon, MI 49441



License Type: DG – Group Child Care Home (capacity 7-12 children)

Zoning Authority:

According to the Michigan Zoning Enabling Act, 2006 PA 110, a group child care home located in a county or township shall be issued a special use permit, conditional use permit, or other similar permit if the group child care home meet specific standards. A group child care home located in a city or village may be issued a special use permit, conditional use permit, or other similar permit.

Please complete the lower portion of this form and return this completed form to the licensee/applicant.

If you have any questions or concerns, please contact the Michigan Department of Licensing and Regulatory Affairs, Bureau of Community and Health Systems, at 517-373-8300.

Thank you.

- Location is APPROVED by the local zoning authority.
- Location is DISAPPROVED by the local zoning authority.

Signature of Zoning Authority Date Telephone Number

Printed Name of Zoning Authority Jurisdiction (City, Township)

AUTHORITY:1973 PA 116

COMPLETION:Required

PENALTY: Applicant cannot be licensed/registered

LARA is an equal opportunity employer/program.

CHAPTER 10
SPECIAL LAND USES

Section 10.1 INTENT AND PURPOSE

- A. This Chapter is intended to respond to the functions and characteristics of an increasing number of new kinds of land uses, combined with conclusive experience regarding some of the older, familiar kinds of uses, which call for a more flexible and equitable procedure for properly accommodating these activities in the community. Rather than assigning all uses to special, individual, and limited zoning districts, it is important to provide control and reasonable flexibility in requirements for certain kinds of uses that will allow practical latitude for the applicant, but will maintain adequate provision for the security of the health, safety, convenience, and general welfare of the community's inhabitants.
- B. In order to accomplish this dual objective, provisions are made in this Ordinance for a more detailed consideration of each specified activity as it may relate to proposed conditions of location and design, size, operation, intensity of use, generation of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and services required, together with many other possible factors.
- C. Land and structure uses possessing these particularly unique characteristics are designated as Special Land Uses and may be authorized by the issuance of a Special Land Use permit, which contains conditions and safeguards necessary for the protection of the public welfare.
- D. The following sections, together with previous references in other Chapters of this Ordinance, designate those uses requiring a Special Land Use Permit. With any noted exceptions, the procedures for obtaining such a Special Land Use Permit shall apply to all special land uses indicated.

SECTION 10.2 APPLICATION PROCEDURES

A. Application Procedures

1. An application for Special Land Use shall be submitted to the zoning administrator at least thirty (30) days prior to the next planning commission meeting. If the zoning administrator deems that the application is complete per the requirements of Section 9.3, A,2 then the plans will be reviewed and submitted to the Planning Commission for their consideration. The zoning administrator has the ability to reduce or extend the thirty (30) day period if it is deemed appropriate (ex - the submitted site plan is very basic and

review can be performed in less than thirty (30) days or the site plan requires additional time due to the high level of detail and size of the project).

2. An application for a Special Land Use shall not be considered complete until all of the following materials have been submitted and deemed complete by the Zoning Administrator:
 - a. A completed application form, as provided by the City. The application shall be signed by an owner of, or person having an interest in, the property to be developed, or an authorized representative.
 - b. Twelve (12) copies of the Preliminary or Final Site Plan meeting the requirements of Section 9.3.
 - c. Payment of a fee, in accordance with a fee schedule, as determined by City Council resolution.
 - d. A legal description, including the permanent parcel number, of the subject property.
 - e. A statement with supporting evidence regarding the required findings as specified in Section 10.4
 - f. Other materials as may be required in this Chapter or by the Zoning Administrator, Planning Commission, or City Council.
3. An application shall not be accepted until all required materials are provided. Incomplete applications shall be returned to the applicant with an indication of the items necessary to make up a complete application.

SECTION 10.3 REVIEW AND FINDINGS

A. Public Hearing

1. The Planning Commission shall schedule a public hearing within sixty (60) days thereafter after receipt of a complete application. This date may be extended upon written request by the applicant, or by agreement of the applicant and the Planning Commission.
2. The City Clerk shall cause to be published a notice of public hearing, not less than five (5) days nor more than fifteen (15) days in advance of the hearing and shall notify by regular mail or personal delivery the parties of interest and all property owners within three hundred (300) feet of the subject property.
3. Such notice shall describe the nature of the request; the location of the property involved, the time and place of the hearing, and indicate when and where the application may be examined and how written comments may be received.
4. Any person may speak or present documents or evidence in support of a position regarding the application at the public hearing.

- B. Upon conclusion of the hearing, and after time for deliberation, the Planning Commission shall make a recommendation to the City Council for approval, approval with conditions, or denial to the City Council. The Commission shall state its reasons for such recommendation in its minutes for submission to the Council.
- C. Upon receipt of a report and summary of hearing comments from the Planning Commission, the City Council may hold an additional public hearing, if it considers a further hearing necessary, using the same hearing requirements as the hearing held before the Planning Commission. The City Council, upon approval of an application for Special Land Use Permit, shall authorize the Zoning Administrator to issue the permit subject to the conditions specified by the City Council.

SECTION 10.4 GENERAL STANDARDS FOR MAKING DETERMINATIONS

- A. The Planning Commission and City Council shall review the particular facts, circumstances and evidence presented. The Planning Commission decisions shall be based on the General Standards of this Section and the applicable Specific Requirements contained in Section 10.5 and Section 10.6.
- B. It shall be incumbent upon the representatives of the applicant for a Special Land Use Permit to provide documentation and evidence in support of the proposal. It shall also be the obligation of the applicant to furnish evidence, or proof of compliance with the specific and general criteria contained in this Ordinance.
- C. **General Standards:** The General Standards are basic to all Special Land Uses; and the Specific Requirements of Section 10.5 and Section 10. are in addition to and shall be required in all applicable situations. All of the following general standards must be satisfied:
1. The proposed use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity.
 2. The proposed use is served by necessary public facilities which are adequate or can be made adequate to serve the proposed use. Specifically, existing streets, storm water drainage, water supply, fire protection, police, emergency medical care, sanitary sewer disposal, solid waste disposal, and public recreation shall be adequate to serve the proposed project.
 3. The proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property.
 4. The proposed use shall not involve activities, processes, materials and equipment and conditions of operation that will have a significant impact to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

5. The proposed use shall be consistent with the intent and purpose of this Ordinance.
6. The site plan for the proposed use demonstrates compliance with any special land use specific design standards contained in Section 10.6.

SECTION 10.5 CONDITIONS AND SAFEGUARDS

- A. Before granting a Special Land Use Permit, the City Council may impose reasonable conditions or limitations upon the establishment, location, construction, maintenance, or operation of the use authorized by the Special Land Use Permit as may be necessary for the protection of the public interest.
- B. Such conditions may include those necessary to insure that public services and facilities affected will be capable of accommodating increased demand and facility loads; to protect the natural environment and conserve natural resources and energy; to insure compatibility with adjacent uses of land; to promote the use of land in a socially and economically desirable manner and be consistent with the general standards as established in this Ordinance and are necessary to meet the intent and purpose of the regulations contained in this Ordinance.
- C. The conditions imposed shall be recorded in the minutes of the City Council and shall remain unchanged except upon mutual consent of the City Council and the owner of the property affected. The City Council shall record in its minutes any changes in conditions of approval of Special Land Use Permits.
- D. Conditions and requirements stated as part of Special Land Use Permit authorization, including all plans, specifications and statements submitted with the application for a Special Land Use Permit, shall be a continuing obligation of its holder. The Zoning Administrator shall make periodic investigations of uses authorized by Special Land Use Permits to determine compliance with all requirements.
- E. Certification of Compliance: At final inspection or at other appropriate times the Zoning Administrator shall certify whether all conditions and other requirements of the City Council in its approval of the Special Land Use have been fulfilled.
- F. An application for a Special Land Use Permit which had been denied wholly or in part by the City Council shall not be resubmitted until the expiration of one (1) year or more from the date of denial, except in the case of newly discovered evidence or changed conditions found to be sufficient to justify reconsideration by the City Council.

- B. Upon conclusion of the hearing, and after time for deliberation, the Planning Commission shall make a recommendation to the City Council for approval, approval with conditions, or denial to the City Council. The Commission shall state its reasons for such recommendation in its minutes for submission to the Council.
- C. Upon receipt of a report and summary of hearing comments from the Planning Commission, the City Council may hold an additional public hearing, if it considers a further hearing necessary, using the same hearing requirements as the hearing held before the Planning Commission. The City Council, upon approval of an application for Special Land Use Permit, shall authorize the Zoning Administrator to issue the permit subject to the conditions specified by the City Council.

SECTION 10.4 GENERAL STANDARDS FOR MAKING DETERMINATIONS

- A. The Planning Commission and City Council shall review the particular facts, circumstances and evidence presented. The Planning Commission decisions shall be based on the General Standards of this Section and the applicable Specific Requirements contained in Section 10.5 and Section 10.6.
- B. It shall be incumbent upon the representatives of the applicant for a Special Land Use Permit to provide documentation and evidence in support of the proposal. It shall also be the obligation of the applicant to furnish evidence, or proof of compliance with the specific and general criteria contained in this Ordinance.
- C. **General Standards:** The General Standards are basic to all Special Land Uses; and the Specific Requirements of Section 10.5 and Section 10. are in addition to and shall be required in all applicable situations. All of the following general standards must be satisfied:
 - 1. The proposed use shall be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing character of the general vicinity.
 - 2. The proposed use is served by necessary public facilities which are adequate or can be made adequate to serve the proposed use. Specifically, existing streets, storm water drainage, water supply, fire protection, police, emergency medical care, sanitary sewer disposal, solid waste disposal, and public recreation shall be adequate to serve the proposed project.
 - 3. The proposed use shall not be hazardous or disturbing to neighboring uses or cause any conflict to the existing use and quiet enjoyment of surrounding property.
 - 4. The proposed use shall not involve activities, processes, materials and equipment and conditions of operation that will have a significant impact to any person, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

SECTION 10.6 SPECIFIC REQUIREMENTS

The requirements set forth in this Section relate to particular Special Land Uses and specific requirements in the appropriate districts which must be met in addition to the standards of Section 10.4. (rev. 9/19/03)

A. Adult Uses

1. In the development and execution of this subsection, it is recognized that there are some uses which, because of their very nature, have serious objectionable operational characteristics, particularly when several are concentrated in certain areas, or when located in proximity to a Residential District, thereby having a detrimental effect upon the adjacent areas. Special regulation of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These controls of this subsection are for the purpose of preventing a concentration of these uses within any one area, or to prevent deterioration or blighting of a nearby residential or other neighborhood. These controls do not legitimize activities which are prohibited in other Sections of the Zoning Ordinance.
2. The lot or parcel on which the use is located shall not be closer than seven hundred fifty (750) feet from any residential use or zoning district, school, or church, measured from lot line to lot line.
3. The use is not located within a five hundred (500) foot radius of any two (2) other such uses, measured from lot line to lot line.
4. Any sign or signs proposed for the adult use business must comply with the requirements of this Ordinance, and shall not include photographs, silhouettes, drawings, or pictorial representations of any type, not include any animated illumination or flashing illumination.
5. No product for sale or gift, nor any picture or other representation of any product for sale or gift, shall be displayed so that it is visible by a person of normal visual acuity from the nearest adjoining roadway or property.
6. No adult use shall be open for business prior to ten (10) a.m., not after (10) p.m. However employees or other agents, or contractors of the business are permitted to be on the premises at other hours for legitimate business purposes such as maintenance, clean up, preparation, record keeping and other similar purposes.
7. For massage parlors, all persons massaging any client or customer must be certified as a massage therapist by the American Massage Therapy Association or be a graduate of a School of Massage Therapy that is certified by the State of Michigan.

2. No more than thirty-five (35) percent of the gross site area shall be covered by buildings.

H. Funeral homes and mortuary establishments.

1. Lighting for parking areas or outdoor activity areas shall be shielded to prevent light from spilling onto any residential district or use.
2. Minimum lot area shall be one (1) acre and minimum lot width shall be one-hundred and fifty (150) feet.
3. An off-street vehicle assembly area shall be provided to be used in support of funeral processions and activities. This area shall be in addition to the required off-street parking and its related maneuvering area.
4. No waiting lines of vehicles shall extend off-site or onto any public street.
5. Access driveways shall be located no less than one hundred (100) feet from street intersections rights-of-way lines or seventy-five (75) feet from any driveway throat edge.

I. Government and community service facilities

1. No building shall be closer than forty (40) feet to any property line or street right-of-way line.
2. No more than thirty-five (35) percent of the gross site area shall be covered by buildings.

J. Group day care homes.

1. The dwelling's exterior and property shall be maintained in a manner that is compatible with the surrounding area and does not change the residential character of the neighborhood. No sign shall be permitted and no evidence of the day care facility shall be visible from any street or adjoining property.
2. The lot shall contain the minimum area required for the district, plus one thousand eight hundred (1,800) square feet
3. An outdoor play area of at least one thousand eight hundred (1,800) square feet shall be provided in the rear yard. Such play area and any other outdoor areas accessible to children shall be completely enclosed with a fence at least four (4) feet high, but not more than six (6) feet high.
4. The day care operation shall be restricted to Monday through Friday only and between the hours of 7:00 a.m. and 6:00 p.m.
5. No group day care facility shall be established within one thousand five hundred (1,500) feet of any existing group day care home.
6. The facility shall comply with all other applicable State licensing regulations.

**NOTICE OF
PUBLIC HEARING
City of Roosevelt Park**

NOTICE IS HEREBY GIVEN of a public hearing to be held by the City of Roosevelt Park Planning Commission on Monday, March 27, 2023, at 6 p.m. in the Council Chambers, Roosevelt Park City Hall, 900 Oak Ridge Road, Roosevelt Park, MI 49441. The purpose of the public hearing is to hear and consider comments regarding a Special Land Use request for an in-home group childcare at 1534 Chapel Road.

Any questions pertaining to this request should be directed to the City Manager at (231) 755-3721 ext. 1954. The application may be reviewed, or written comments may be received until March 27, 2023 at 900 Oak Ridge Rd., Roosevelt Park, MI 49441.

ADA Policy: The City will provide necessary appropriate auxiliary aids and services to individuals with disabilities who want to attend the meeting upon forty-eight (48) hour notice to the City Clerk, City of Roosevelt Park, 900 Oak Ridge Road, (231) 755-3721 ext. 1950.

Ann Wisniewski
City Clerk

Publish: March 17, 2023



**CITY OF ROOSEVELT PARK
PLANNING COMMISSION MEETING
March 27, 2023**

Item: Planning Commission Vacancy Application	Date: March 27, 2023
<p>The City received and the council accepted the resignation of one of the members on the City of Roosevelt Park’s Planning Commission this past fall. The resulting vacancy was advertised for over a month and there has only been one application received as of March 21st 2023.</p> <p>That application is attached for review and staff is asking that the Planning Commission make a recommendation to the City Council on the appointment.</p>	
Financial Impact: None	
Recommendation: Recommend to the City Council on the attached application.	
Signature:	Title: City Manager



Board and Commission Application

900 Oak Ridge Rd. Muskegon, MI 49441
P: (231) 755-3721 F: (231) 755-1442
Email: clerk@rooseveltpark.org

RECEIVED
MAR 02 2023
BY: _____

Name: Joshua Ost Date: 12/19/2022
Address: Cornell Rd, Muskegon, MI 49441 Home Phone: _____
Email Address: @gmail.com Cell Phone: _____
Years as a City Resident: 1 Occupation: Environmental Health Officer

Background/Interests (Attach additional sheets if necessary):
Community Development, Parks, Education, Environmental Clean up/Protection
Active with the Livability Lab for Muskegon.

Please check the board(s) or commission(s) that you would be willing to serve on:

- City Council
- Zoning Board of Appeals
- Downtown Development Authority
- Board of Review
- Planning Commission
- Community Events Volunteer

The above boards typically meet on a monthly basis, with the exception of the ZBA which meets on an "as needed" basis. Quorums are required for any board to act, so attendance is important. Do you feel the other board members can count on your regular attendance so that business can be conducted?

Yes No Seasonally - from _____ to _____

Why would you like to be on the board(s) or commission(s) you have selected: (Please use reverse side if necessary)

I am
a graduate of Mona Shores Schools, a 3rd generation County Employee
and am looking for ways to help my community grow and better represent
current & future residents.

Concerns for the City; if any:

Revitalization of Parks, redevelopment of former industrial
& commercial properties that are now defunct.