



EATON COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
1045 INDEPENDENCE BLVD.
CHARLOTTE, MI 48813
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MEMORANDUM

TO: PUBLIC WORKS AND PLANNING

**FROM: Eaton County Community Development Department
Claudine Williams**

DATE: November 13, 2019

RE: DCA-11-19-2: Request by Christian Ann James, LLC. for a District Change Amendment to change the zoning of property located at 2362 S. Michigan Road from Local Business (C-1) to General Business (C-2); in addition they request to adjust a .47 acre portion of parcel 120-026-100-007-00 to this property and change the zoning from Limited Agricultural (LA) to General Business (C-2). The properties are located in Section 26, Eaton Rapids Township.

On November 5, 2019 the Eaton County Planning Commission voted unanimously to recommend the Eaton County Board of Commissioners **approve** the request for change in land use classification from **Limited Agricultural (LA) and Local Business (C-1) to General Business (C-2)**.

The property to be re-zoned is .94 acres; the property is zoned Limited Agricultural (LA) and Local Business (C-1); the surrounding zoning is Low Density Residential (R-1), Limited Agricultural (LA), Local Business (C-1), and General Business (C-2); currently the land is used vacant residential (home is being demolished) and storage for P & K RV; site history use is residential and storage; surrounding uses are residential, agricultural, and commercial; Michigan Road is a major road.

A public hearing was held on November 5, 2019 in reference to this request. Six (6) surrounding property owners were notified. No responses were received by the surrounding property owners; No public comment was received at the public hearing.

EATON COUNTY BOARD OF COMMISSIONERS**RESOLUTION TO APPROVE DCA-11-19-2****Introduced by the Public Works and Planning Committee
Eaton County**

Commissioner Whitacre moved for the approval of the following resolution. Seconded by Commissioner Mulder.

PREAMBLE: The Eaton County Land Development Code, an Ordinance adopted by the Commissioners of the County of Eaton pursuant to Public Act 183 of 1943, and administered pursuant to Public Act 110 of 2006, as amended, may be amended from time to time by following procedures outlined in Article 13 of the Development Code.

WHEREAS, Christian Ann James, LLC. initiated a petition to change the Land Development District (zoning) designation for an .94 acre parcel located at 2362 S. Michigan Road, Section 26, Eaton Rapids Township from Limited Agricultural (LA) and Local Business (C-1) to General Business (C-2); and

WHEREAS, the Eaton County Planning Commission held duly advertised and noticed public hearing on **November 5, 2019**; and

WHEREAS, the Eaton County Planning Commission found the requested amendment to be consistent with the required findings of fact (Items A-G) contained in Section 13.6 of the Eaton County Land Development Code; and

WHEREAS, the Eaton County Planning Commission has taken action on **November 5, 2019** to recommend the approval of the request for change in the Land Development District designation.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the County of Eaton, Michigan having considered the findings of facts and recommendations hereby:

APPROVES the request by Christian Ann James, LLC., for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a .94 acre parcel of land located at 2362 S. Michigan Road, Section 26, Eaton Rapids Township from Limited Agricultural (LA) and Local Business (C-1) to General Business (C-2); said property is legally described as:

A parcel of land in the Northwest 1/4 of Section 26, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, described as: Commencing at the West 1/4 Corner of said Section 26; thence S88°43'50"E along the East—West 1/4 line of said Section 517.41 feet to the centerline of Michigan Highway M-99/Michigan Road; thence N30°43'45"E along said centerline 531.86 feet to the point of beginning; thence N59°04'03"W 300.00 feet; thence N30°43'45"E parallel with said centerline 135.68 feet; thence S59°16'15"E perpendicular to said centerline 300.00 to said centerline; thence S30°43'45"W along said centerline 136.74 feet to the point of beginning; said parcel containing 0.94 acre more or less; said parcel subject to a right of way for road purposes along Michigan Highway M-99/Michigan Road; said parcel subject to all easements and restrictions if any.

At the regular meeting of the Eaton County Board of Commissioners on **November 20, 2019** the Resolution regarding the approval of said request was adopted.

Those voting Aye: Commissioner Rob Piercefield, Blake Mulder, Terrance Augustine, Jeanne Pearl-Wright, Jane M. Whitacre, Joseph Brehler, Brian Droscha, Matthew S. Bowen, Wayne Ridge, Brian Lautzenheiser, Lisa Deavers and Barbara Rogers.

Those voting Nay: None

Abstention: None

Absent: Commissioner Brandon Haskell, Glenn Freeman, Jim Mott.

Motion carried.

Terrance Augustine, Chairman
Eaton County Board of Commissioners

I hereby certify that the above Ordinance amending the Eaton County Land Development Code, which was approved, is a true and correct copy of that recorded in the official minutes of **November 20, 2019** of the Eaton County Board of Commissioners.

Diana Bosworth, Clerk
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE
ZONING ORDINANCE AMENDMENT DCA-11-19-2**

District Change Amendment DCA-11-19-2 to amend the Zoning District Maps of the Eaton County Land Development Code (zoning ordinance) of Eaton County, as enacted in 1981 pursuant to the provisions of Public Act 110 of 2006, as amended.

An application for a District Change Amendment to change a Land Development District designation on the Official Land Development District Map (Map Amendment) has been submitted by Christian Ann James, LLC. to rezone a .94 acre parcel from Limited Agricultural (LA) and Local Business (C-1) to General Business (C-2) located at 2362 S. Michigan Road, Section 26, Eaton Rapids Township, parcel 120-026-100-045-00 together with a .47 acre portion of parcel 120-026-100-007-00; which is legally described as:

A parcel of land in the Northwest 1/4 of Section 26, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, described as: Commencing at the West 1/4 Corner of said Section 26; thence S88°43'50"E along the East—West 1/4 line of said Section 517.41 feet to the centerline of Michigan Highway M-99/Michigan Road; thence N30°43'45"E along said centerline 531.86 feet to the point of beginning; thence N59°04'03"W 300.00 feet; thence N30°43'45"E parallel with said centerline 135.68 feet; thence S59°16'15"E perpendicular to said centerline 300.00 to said centerline; thence S30°43'45"W along said centerline 136.74 feet to the point of beginning; said parcel containing 0.94 acre more or less; said parcel subject to a right of way for road purposes along Michigan Highway M-99/Michigan Road; said parcel subject to all easements and restrictions if any.

WHEREAS, the Eaton County Planning Commission held duly advertised and noticed public hearing on **November 5, 2019**; and

WHEREAS, the Eaton County Planning Commission has taken action on **November 5, 2019** to recommend approval of the map amendment:

WHEREAS, after careful consideration of the amendment, the Eaton County Board of Commissioners approved the aforementioned map amendment as follows:

Yeas	<u>12</u>
Nays	<u>0</u>
Abstaining	<u>0</u>
Absent	<u>3</u>

I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Zoning District Maps of the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **November 20, 2019**, and now on record in the office of the Clerk of said County.

IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

20 day of November, 2019

Diana Bosworth, Clerk
Eaton County Board of Commissioners

Terrance Augustine, Chairman
Eaton County Board of Commissioners

LIMITED AGRICULTURAL (LA) AND LOCAL BUSINESS (C-1)
CHANGED TO GENERAL BUSINESS (C-2)



Eaton County
Community Development Department

Permit: DCA-11-19-2
Township: Eaton Rapids
Parcel Numbers: 120-026-100-045-00 and a .47 acre portion of 120-026-100-007-00

A parcel of land in the Northwest 1/4 of Section 26, T2N, R3W, Eaton Rapids Township, Eaton County, Michigan, described as: Commencing at the West 1/4 Corner of said Section 26; thence S88°43'50"E along the East—West 1/4 line of said Section 517.41 feet to the centerline of Michigan Highway M-99/Michigan Road; thence N30°43'45"E along said centerline 531.86 feet to the point of beginning; thence N59°04'03"W 300.00 feet; thence N30°43'45"E parallel with said centerline 135.68 feet; thence S59°16'15"E perpendicular to said centerline 300.00 to said centerline; thence S30°43'45"W along said centerline 136.74 feet to the point of beginning; said parcel containing 0.94 acre more or less; said parcel subject to a right of way for road purposes along Michigan Highway M-99/Michigan Road; said parcel subject to all easements and restrictions if any.

Terrance Augustine, Chairman
Eaton County Board of Commissioners

Diana Bosworth, Clerk
Eaton County Board of Commissioners

Date: _____

Date: _____