

**EATON COUNTY BOARD OF COMMISSIONERS**

**RESOLUTION TO APPROVE DCA-3-20-1**

**Introduced by the Public Works and Planning Committee  
Eaton County**

Commissioner Whitacre moved the approval of the following resolution. Seconded by Commissioner Rogers.

**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,** Scott and Alyce Blackmer, Carlos Valadez and Amanda Hancock, and Lee and Laura Ferman initiated a petition to change the Land Development District (zoning) designation for five parcels of land totaling 44.4 acres parcel located at 2980 Kemler Road, 2936 Kemler Road, vacant property located off from Kemler Road (120-028-300-073-04), 2668 Kemler Road and 2772 Kemler Road, Section 32, Eaton Rapids Township from Low Density Residential (R-1) to Limited Agricultural (LA); and

**WHEREAS,** the Eaton County Planning Commission held duly advertised and noticed public hearing on **March 3, 2020**; 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 **March 3, 2020** 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 Scott and Alyce Blackmer, Carlos Valadez and Amanda Hancock, and Lee and Laura Ferman, for a change in land use district classification in Section 7.1.2 of the Land Development Code to change five parcels of land totaling 44.4 acres parcel located at 2980 Kemler Road, 2936 Kemler Road, vacant property located off from Kemler Road (120-028-300-073-04), 2668 Kemler Road and 2772 Kemler Road, Section 32, Eaton Rapids Township from Low Density Residential (R-1) to Limited Agricultural (LA);

**120-028-300-080-00, 2980 Kemler Road:** COM S 1/4 POST, N 200 FT, W 436 FT, S 200 FT, E TO BEG. SEC.28, T2N,R3W, EATON RAPIDS TWP 1980

**120-028-300-073-06, 2936 Kemler Road:** COM S 1/4 COR SEC 28; N0°40'10"W 253.95 FT ALONG N-S 1/4 LINE TO POB; N89°05'21"W 740 FT; N0°40'10"W 401.29 FT; S89°52'10"E 389.89 FT; S0°40'10"E 159.6 FT; S89°05'21"E 350 FT; S0°40'10"E 247 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. D 3-18-19 R 3-22-19 (ADJUSTMENT APPROVED) ADJUSTED FROM 120-028-300-073-03 & 120-028-300-061-01 FOR 2020.

**120-028-300-073-04, vacant property located off from Kemler Road:** COM ON N-S 1/4 LINE AT A PT 200 FT N00°40'10"W OF S 1/4 COR SEC.28, N89°50'00"W 436 FT, S00°40'10"E 200 FT, N89°50'00"W 160.6 FT, N89°56'30"W 729.61 FT TO W LINE OF E 1/2 OF SW 1/4, N00°39'20"W 665.86 FT ON W LINE OF E 1/2 OF SW 1/4, S89°52'10" E 586.27 FT, S00°40'10"E 401.29 FT, S89°05'21"E 740 FT TO N-S 1/4 LINE, S00°40'10"E 53.95 FT TO BEG. SEC.28, T2N,R3W, EATON RAPIDS TWP 4-6-2001

**120-028-300-061-02, 2868 Kemler Road:** COM N0°40'10"W 500.95 FT FROM S 1/4 COR SEC 28 TO POB; N89°05'21"W 350 FT; N0°40'10"W 159.6 FT; N89°52'10"W 976.16 FT; N0°39'20"W 793.48 FT; S89°51'40"E 1030.87 FT; S0°40'10"E 300.33 FT; S89°51'40"E 106 FT; S0°40'10"E 160 FT; S89°51'40"E 189 FT; S0°40'10"E 497.32 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. D 5-24-19 R 6-4-19 (ADJUSTMENT APPROVED) ADJUSTED FROM 120-028-300-061-01 FOR 2020.

**120-028-300-050-01, 2772 Kemler Road:** COM S 1/4 COR SEC 28; N0°40'10"W 998.27 FT TO POB; N89°51'40"W 189 FT; N0°40'10"W 160 FT; N89°51' 40"W 106 FT; N0°40'10"W 300.33 FT; S89°51'40"E 295 FT; S0°40'10"E 460.33 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. 8-19-02 (ADJUSTMENT APPROVED)

At the regular meeting of the Eaton County Board of Commissioners on **March 18, 2020** the Resolution regarding the approval of said request was adopted.

Those voting Aye: Piercefield, Mulder, Augustine, Pearl-Wright, Haskell, Brehler, Freeman, Droscha, Bowen, Ridge, Lautzenheiser, Mott, Deavers, Rogers.

Those voting Nay: None

Abstention: None

Absent: Whitacre

Motion carried.

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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 **March 18, 2020** of the Eaton County Board of Commissioners.

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Diana Bosworth, Clerk  
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE  
ZONING ORDINANCE AMENDMENT DCA-3-20-1**

**District Change Amendment DCA-3-20-1 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 Scott and Alyce Blackmer, Carlos Valadez and Amanda Hancock, and Lee and Laura Ferman, to rezone five parcels of land totaling 44.4 acres from Low Density Residential (R-1) to Limited Agricultural (LA), parcels located at 2980 Kemler Road, 2936 Kemler Road, vacant property located off from Kemler Road (120-028-300-073-04), 2668 Kemler Road and 2772 Kemler Road, Section 32, Eaton Rapids Township and are legally described as:

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 Olivet College to rezone an eight (8) acre parcel from Limited Agricultural (LA) to Local Business (C-1) located at 9126 Marshall Road, Section 32, Walton Township, parcel 140-032-100-026-00 and which is legally described as:

**120-028-300-080-00, 2980 Kemler Road:** COM S 1/4 POST, N 200 FT, W 436 FT, S 200 FT, E TO BEG. SEC.28, T2N,R3W, EATON RAPIDS TWP 1980

**120-028-300-073-06, 2936 Kemler Road:** COM S 1/4 COR SEC 28; N0°40'10"W 253.95 FT ALONG N-S 1/4 LINE TO POB; N89°05'21"W 740 FT; N0°40'10"W 401.29 FT; S89°52'10"E 389.89 FT; S0°40'10"E 159.6 FT; S89°05'21"E 350 FT; S0°40'10"E 247 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. D 3-18-19 R 3-22-19 (ADJUSTMENT APPROVED) ADJUSTED FROM 120-028-300-073-03 & 120-028-300-061-01 FOR 2020.

**120-028-300-073-04, vacant property located off from Kemler Road:** COM ON N-S 1/4 LINE AT A PT 200 FT N00°40'10"W OF S 1/4 COR SEC.28, N89°50'00"W 436 FT, S00°40'10"E 200 FT, N89°50'00"W 160.6 FT, N89°56'30"W 729.61 FT TO W LINE OF E 1/2 OF SW 1/4, N00°39'20"W 665.86 FT ON W LINE OF E 1/2 OF SW 1/4, S89°52'10" E 586.27 FT, S00°40'10"E 401.29 FT, S89°05'21"E 740 FT TO N-S 1/4 LINE, S00°40'10"E 53.95 FT TO BEG. SEC.28, T2N,R3W, EATON RAPIDS TWP 4-6-2001

**120-028-300-061-02, 2868 Kemler Road:** COM N0°40'10"W 500.95 FT FROM S 1/4 COR SEC 28 TO POB; N89°05'21"W 350 FT; N0°40'10"W 159.6 FT; N89°52'10"W 976.16 FT; N0°39'20"W 793.48 FT; S89°51'40"E 1030.87 FT; S0°40'10"E 300.33 FT; S89°51'40"E 106 FT; S0°40'10"E 160 FT; S89°51'40"E 189 FT; S0°40'10"E 497.32 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. D 5-24-19 R 6-4-19 (ADJUSTMENT APPROVED) ADJUSTED FROM 120-028-300-061-01 FOR 2020.

**120-028-300-050-01, 2772 Kemler Road:** COM S 1/4 COR SEC 28; N0°40'10"W 998.27 FT TO POB; N89°51'40"W 189 FT; N0°40'10"W 160 FT; N89°51' 40"W 106 FT; N0°40'10"W 300.33 FT; S89°51'40"E 295 FT; S0°40'10"E 460.33 FT TO POB. SEC 28, T2N,R3W, EATON RAPIDS TWP. 8-19-02 (ADJUSTMENT APPROVED)

**WHEREAS**, the Eaton County Planning Commission held duly advertised and noticed public hearing on **March 3, 2020**; and

**WHEREAS**, the Eaton County Planning Commission has taken action on **March 3, 2020** 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 14  
Nays 0  
Abstaining 0  
Absent 1

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 **March 18, 2020**, and now on record in the office of the Clerk of said County.

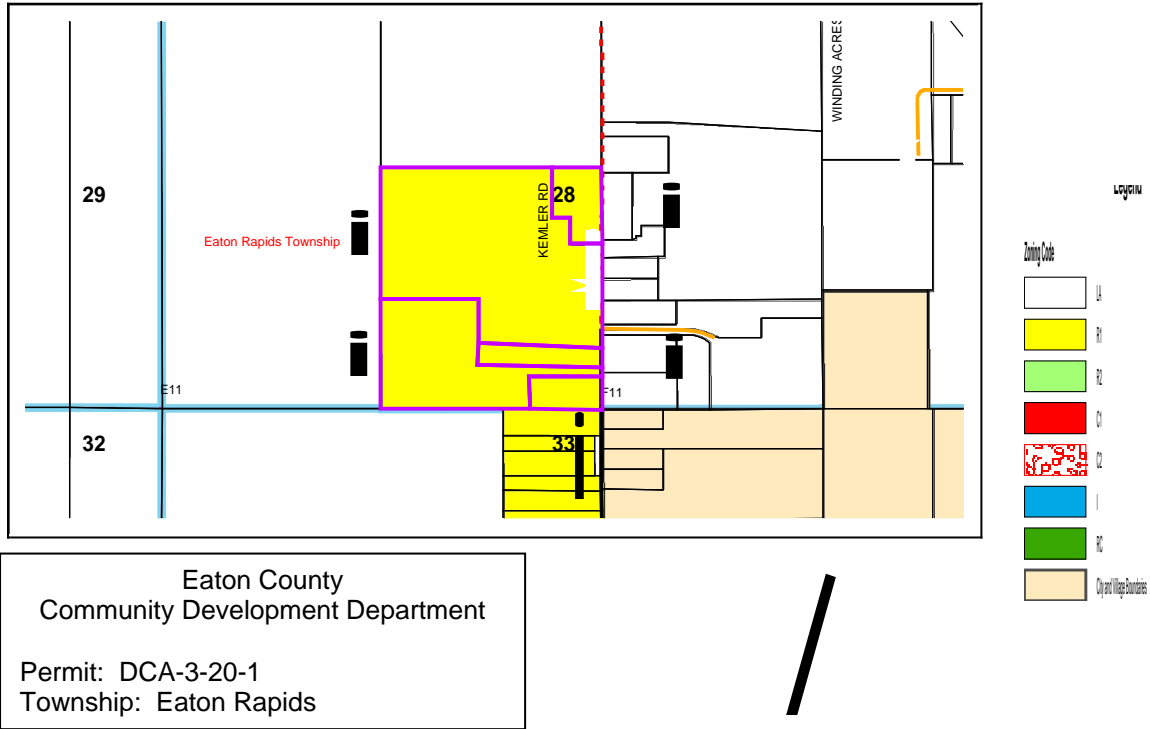
IN TESTIMONY WHEREOF, I have set my hand and affixed the seal of said County at the City of Charlotte, Michigan, the

\_\_\_\_\_ day of \_\_\_\_\_, 2020

\_\_\_\_\_  
Diana Bosworth, Clerk  
Eaton County Board of Commissioners

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Terrance Augustine, Chairman  
Eaton County Board of Commissioners

LOW DENSITY RESIDENTIAL (R-1) CHANGED TO LIMITED AGRICULTURAL (LA)



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Terrance Augustine, Chairman  
Eaton County Board of Commissioners

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Diana Bosworth, Clerk  
Eaton County Board of Commissioners

Date: \_\_\_\_\_

Date: \_\_\_\_\_

