

EATON COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO APPROVE DCA-5-22-1

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

Commissioner Lautzenheiser 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, Ernest and Caren Gurka initiated a petition to change the Land Development District (zoning) designation for a 25 acre parcel located off River Road (parcel 130-031-400-001-03), Section 31, Bellevue 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 **May 3, 2022**; 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 **May 3, 2022** 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 Ernest and Caren Gurka for a change in land use district classification in Section 7.1.2 of the Land Development Code to change a 25 acre parcel located off River Road (parcel 130-031-400-001-03), Section 31, Bellevue Township from Low Density Residential (R-1) to Limited Agricultural (LA);

A parcel of land located in the Southeast 1/4 of Section 31, Town 1 North, Range 6 West, Bellevue Township, Eaton County, Michigan being described as: Commencing at the Southeast Corner of Section 31, T1N, R6W; thence S89°50'57"W, 431.66 feet along the South line of said Section 31 the centerline of River Road and the point of beginning of the following described parcel; thence continuing S89°50'57"W, 498.45 feet along said South line; thence N01°42'19"W, 1323.21 feet to the North line of the South 1/2 of the Southeast 1/4 of said Section 31; thence S89°57'20"E, 930.06 feet to the East line of said Section 31; thence S01°42'19"E, 608.78 feet along said East line to the centerline of River Road; thence Southwesterly, 118.46 feet along said centerline along the arc of a curve to the right, said curve having a radius of 200.00 feet, a delta angle of 33°56'13", and a chord bearing S15°15'47"W, 116.74 feet; thence S32°13'54"W, 711.77 feet along said centerline to the point of beginning; said parcel contains 25.00 acres, more or less; said parcel being subject to the rights of the public over and across that portion

currently being used for road purposes; said parcel being subject to any easements or restrictions of use or record.

At the regular meeting of the Eaton County Board of Commissioners on **May 18, 2022** the Resolution regarding the approval of said request was adopted.

Those voting Aye: Commissioners Tim Barnes, Blake Mulder, Terrance Augustine, Brandon Haskell, Jeanne Pearl-Wright, Mark Mudry, Joseph Brehler, Brian Droscha, Dairus Reynnet, Wayne Ridge, Brian Lautzenheiser, Jim Mott, Barbara Rogers and Jeremy Whittum.

Those voting Nay: None

Abstention: None

Absent: Commissioner Jane Whitacre

Motion carried.

Jeremy Whittum, 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 **May 18, 2022** of the Eaton County Board of Commissioners.

Diana Bosworth, Clerk
Eaton County Board of Commissioners

**EATON COUNTY LAND DEVELOPMENT CODE
ZONING ORDINANCE AMENDMENT DCA-5-22-1**

District Change Amendment DCA-5-22-1 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 Ernest and Caren Gurka to rezone a 25 acre parcel from Low Density Residential (R-1) to Limited Agricultural (LA) located off from River Road, Section 31, Bellevue Township parcel 130-031-400-001-03 which is legally described as:

A parcel of land located in the Southeast 1/4 of Section 31, Town 1 North, Range 6 West, Bellevue Township, Eaton County, Michigan being described as: Commencing at the Southeast Corner of Section 31, T1N, R6W; thence S89°50'57"W, 431.66 feet along the South line of said Section 31 the centerline of River Road and the point of beginning of the following described parcel; thence continuing S89°50'57"W, 498.45 feet along said South line; thence N01°42'19"W, 1323.21 feet to the North line of the South 1/2 of the Southeast 1/4 of said Section 31; thence S89°57'20"E, 930.06 feet to the East line of said Section 31; thence S01°42'19"E, 608.78 feet along said East line to the centerline of River Road; thence Southwesterly, 118.46 feet along said centerline along the arc of a curve to the right, said curve having a radius of 200.00 feet, a delta angle of 33°56'13", and a chord bearing S15°15'47"W, 116.74 feet; thence S32°13'54"W, 711.77 feet along said centerline to the point of beginning; said parcel contains 25.00 acres, more or less; said parcel being subject to the rights of the public over and across that portion currently being used for road purposes; said parcel being subject to any easements or restrictions of use or record.

WHEREAS, the Eaton County Planning Commission held duly advertised and noticed public hearing on **May 3, 2022**; and

WHEREAS, the Eaton County Planning Commission has taken action on **May 3, 2022** 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

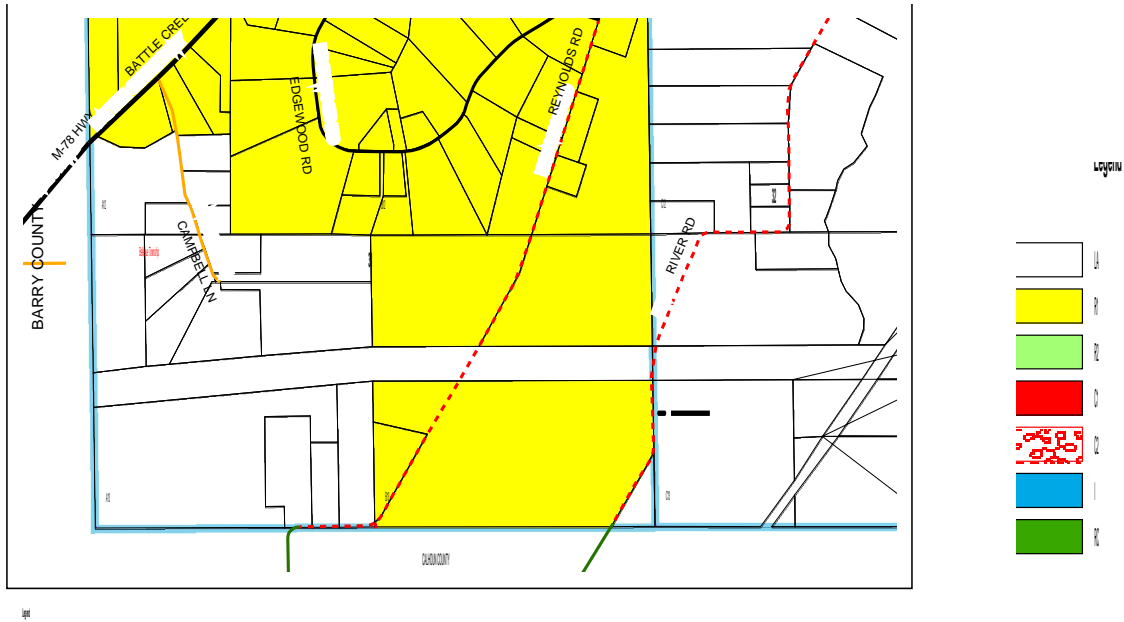
I, Diana Bosworth, Clerk for the County of Eaton, do hereby certify that the above and foregoing is a true copy of the amendment to the Zoning District Maps of the Eaton County Land Development Code (Zoning Ordinance), as amended and passed by the Eaton County Board of Commissioners on **May 18, 2022**, 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 23rd day of May, 2022.

Diana Bosworth, Clerk
Eaton County Board of Commissioners

Jeremy Whittum, Chairman
Eaton County Board of Commissioners

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



Eaton County
Community Development Department

Permit: DCA-5-22-1
Township: Bellevue



A parcel of land located in the Southeast 1/4 of Section 31, Town 1 North, Range 6 West, Bellevue Township, Eaton County, Michigan being described as: Commencing at the Southeast Corner of Section 31, T1N, R6W; thence S89°50'57"W, 431.66 feet along the South line of said Section 31 the centerline of River Road and the point of beginning of the following described parcel; thence continuing S89°50'57"W, 498.45 feet along said South line; thence N01°42'19"W, 1323.21 feet to the North line of the South 1/2 of the Southeast 1/4 of said Section 31; thence S89°57'20"E, 930.06 feet to the East line of said Section 31; thence S01°42'19"E, 608.78 feet along said East line to the centerline of River Road; thence Southwesterly, 118.46 feet along said centerline along the arc of a curve to the right, said curve having a radius of 200.00 feet, a delta angle of 33°56'13", and a chord bearing S15°15'47"W, 116.74 feet; thence S32°13'54"W, 711.77 feet along said centerline to the point of beginning; said parcel contains 25.00 acres, more or less; said parcel being subject to the rights of the public over and across that portion currently being used for road purposes; said parcel being subject to any easements or restrictions of use or record.

Jeremy Whittum, Chairman
Eaton County Board of Commissioners

Diana Bosworth, Clerk
Eaton County Board of Commissioners

Date: _____

Date: _____

