



Planning Commission

Larry Fox, Chairperson Summer L. McMullen, Trustee
Michael Mitchell, Vice-Chairperson Sue Grissim, Commissioner
Tom Murphy, Secretary Jim Mayer, Commissioner
Matthew Eckman, Commissioner

Planning Commission Meeting Agenda
Hartland Township Hall
Thursday, August 08, 2024
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Meeting Minutes
 - a. Planning Commission Meeting Minutes of July 11, 2024
6. Call to Public
7. Public Hearing
 - a. Site Plan with Special Land Use Application #24-007 (Landscape Nursery)
8. Call to Public
9. Planner's Report
10. Committee Reports
11. Adjournment

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

July 11, 2024– 7:00 PM

1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance:**

3. **Roll Call and Recognition of Visitors:**

Present – Commissioners Eckman, Fox, Mayer, McMullen, Mitchell, Murphy

Absent – Commissioner Grissim

4. **Approval of the Meeting Agenda:**

A Motion to approve the July 11, 2024, Planning Commission Meeting Agenda was made by Commissioner Eckman and seconded by Commissioner Mitchell. Motion carried unanimously.

5. **Approval of Meeting Minutes:**

a. Planning Commission Meeting Minutes of June 27, 2024

A Motion to approve the Planning Commission Meeting Minutes of June 27, 2024, was made by Commissioner Eckman and seconded by Commissioner Murphy. Motion carried unanimously.

6. **Call to the Public:**

None

7. **Old and New Business**

- a. Site Plan/PD Application SP/PD #24-006 – Highland Reserve Planned Development Final Plan
- Director Langer gave an overview of the location and scope of the application stating the following:
- Confirmed the location as south of M-59, east of Hartland Glen/Redwood.
 - Planned Development, primarily residential, 101 homes, 66 owner-occupied, 35 rental homes.
 - Final stage of the three-step process, mostly documentation related to the project.
 - Will result in a rezoning of the property.
 - Township Board will give the final approval.

The Applicant, Mike West, representing Green Development Ventures and Allen Edwin Homes; and Matthew Diffin of Diffin-Umlor & Associates, introduced themselves and stated the following:

- Have been working on the construction plans over the last eight or nine months since the Preliminary approvals.
- Have the Michigan State Department of Environment, Great Lakes and Energy (EGLE) permit which took seven months, the water approval, working on sanitary sewer with Livingston County/EGLE, and the Livingston County Drain Commission for storm water.
- Minor phasing changes to the plan and different routing for sewer, otherwise all else is the same.
- Expressed appreciation stating it has been nice to work with the Township and are looking forward to beginning construction early next year.

Chair Fox referred to the staff memorandum dated July 3, 2024.

Director Langer stated there are a number of legal documents some of which are draft versions which still must be reviewed by the Township Attorney. The Township Attorney also noted that the Master Deed should be amended to include any access and maintenance agreements for the use of Hartland Glen Lane and future connections to the south and east. Director Langer has had some conversations with the Applicant about the installation of signage to notify the future residents and Homeowners Association that those stub streets will connect to future developments. There are still some minor changes to the documents expected so the approval is conditioned upon review by the Township Attorney.

Commissioner Mayer asked about the phasing. The Applicant shared the phasing plan and the temporary cul-de-sac at the end of Ardmore for fire access.

Commissioner Mitchell offered the following Motion:

Move to recommend approval of Site Plan/PD Application #24-006, the Final Planned Development Site Plan for the Highland Reserve Planned Development, as outlined in the staff memorandum dated July 3, 2024.

Approval is subject to the following conditions:

- 1. The Final Planned Development Site Plan for Highland Reserve Planned Development, SP/PD Application #24-006 is subject to the approval of the Township Board.**
- 2. Final approval of Highland Reserve Planned Development (SP/PD Application #24-006) shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as PD (Planned Development). The subject property, which constitutes the planned development project area (39.05 acres), and is to be rezoned to PD, is as follows:**
 - a. Tax Parcel ID #4708-26-200-002 (39.05 acres in area); currently zoned CA (Conservation Agricultural).**
- 3. Waiver request for the substitution of evergreen trees for 50% of the required canopy trees in the greenbelt area of the residential section of the planned development along Highland Road, is approved.**
- 4. Waiver request to deviate from the Livingston County Road Commission design standards regarding the roadway surface width for a private road, is approved.**
- 5. The applicant shall adequately address the outstanding items noted in the Planning Department’s memorandum, dated July 3, 2024, on the Construction Plan Set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.**
- 6. The Master Deed, Condominium By-Laws, and Planned Development Agreement shall be amended to include any access and maintenance agreements. Access and maintenance agreements will be required for the use of the Hartland Glen Lane and future road and sidewalk connections to the east (via Melsetter Street) and south (via Ardmore Avenue).**

July 11, 2024 – 7:00 PM

The documents shall be in a recordable format and shall comply with the requirements of the Township Attorney.

- 7. Highland Reserve PD shall be connected and served with municipal water and sanitary sewer.**
- 8. The applicant shall obtain all necessary approvals from the Michigan Department of Transportation (MDOT) and the Michigan Department of Environment, Great Lakes, and Energy (EGLE).**
- 9. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, the Fire Code requirements, and all other government agencies, as applicable.**

Seconded by Commissioner Murphy. Motion carried unanimously.

8. Call to the Public:

None

9. Planner Report:

None

10. Committee Reports:

None

11. Adjournment

A Motion to adjourn was made by Commissioner Eckman and seconded by Commissioner Mayer. Motion carried unanimously. The meeting was adjourned at approximately 7:15 p.m.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Site Plan with Special Land Use Application #24-007 (Landscape Nursery)

Date: August 1, 2024

Recommended Action

Move to recommend approval of Site Plan with Special Land Use Application #24-007, a request to establish a landscape nursery as a special land use, at 5239 Fenton Road. The recommendation for approval is based on the following findings:

1. The proposed special land use, landscape nursery, meets the intent and purposes of the Ordinance as well as the specific Special Use standards outlined in Section 6.6 (Special Uses) and Section 4.38 (Open Air Business, Commercial Outdoor Display, Sales or Storage), as a landscape nursery is permitted as a special land use in the CA (Conservation Agricultural) zoning district, if located on at least ten (10) acres.
2. The proposed use is compatible with the existing and future land uses in the vicinity.
3. The proposed use is compatible with the Hartland Township Comprehensive Plan, which designates this area as Estate Residential. The intent of this designation is to provide for very low-density residential development. Where appropriate, agricultural uses are also anticipated within this designation.
4. The proposed landscape nursery is located on a residential property, which is currently served by private on-site well (water) and septic system. The proposed use will be adequately served by existing essential facilities and public services, and the Fire Department has no objection.
5. The proposed use will not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, persons, or the public welfare. The proposed landscape nursery is located on a 10-acre parcel, in a rural area of the Township.
6. The proposed use will not create additional requirements at public cost for public facilities as the subject property is currently served by private on-site well (water) and septic system.

Approval is subject to the following conditions

1. The proposed special land use, landscape nursery, is subject to approval by the Township Board.
2. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated August 1, 2024. Revised plans, if necessary, shall be subject to an administrative review by the Planning staff prior to the issuance of a land use permit.
3. A land use permit is required for the proposed special land use.

4. Applicant complies with any requirements of the Department of Public Works Director, Township Engineering Consultant (SDA), Hartland Deerfield Fire Authority, and all other government agencies, as applicable.
5. (Any other conditions the Planning Commission deems necessary)

Discussion

Applicant: Dustin Proctor

Site Description

The applicant intends to establish a landscape nursery at 5239 Fenton Road, on his residential property in Section 2 of the Township (Parcel ID #4708-02-400-004). The parcel is approximately ten (10) acres in size and contains a residence and seven (7) outbuildings of various sizes, per the submitted site plan. The house was constructed in 1919 per records from the Township’s Assessing Department. Land use permits for the house and outbuildings were not found in the files for this property.

Per the submitted site plan, areas are dedicated for truck and trailer parking, material stockpile area, and a landscape nursery area for plant material.

Adjoining properties north, south, and west of the subject site are zoned CA (Conservation Agricultural). Properties on the east side of Fenton Road are zoned CA (Conservation Agricultural).

The 2015 Future Land Use Map (FLUM) designates this parcel as Estate Residential. The 2020-2021 Amendment to the FLUM has this same designation.

Overview and Background Information

Following is a summary of the history of the property.

Sign Permit Application #589 (2006)

On November 15, 2006, Sign Permit #589 was approved to allow for a temporary (30-day) sign to be posted at Fenton Road and Clyde Road for “u-cut trees”.

Land Division Application #869 (2016)

In May 2016, Land Division Application #869 was approved which created the subject property (10-acre parcel; Parcel ID #4708-02-400-004).

Proposed Use

Based on the applicant’s explanation, the request is to establish a landscape nursery at his residential property addressed as 5239 Fenton Road. The site plan shows the layout for the landscape nursery which includes individual spaces dedicated for truck and trailer parking, material stockpile area, and a landscape nursery area for plant material.

Per the applicant’s letter received by the Township on October 25, 2023, DMG Horticultural Services offers landscaping services such as mowing, trimming, landscape design and installation, retaining walls, and commercial snow and ice removal. The business is not open to the public; landscaping services are performed at the customers’ properties. The company has four (4) employees, outside of the owner and the owner’s wife. Specific hours of operations are dependent on the weather and season.

Per Section 3.1.1.D. xv. (CA-Conservation Agricultural), a landscape nursery is deemed a Special Land Use in the CA (Conservation Agricultural) zoning district located on at least ten (10) acres. A landscape nursery is subject to the criteria and standards contained within Section 6.6 (Special Uses) and Section 4.38 (Open Air Business, Commercial Outdoor Display, Sales or Storage) of the Township Zoning Ordinance.

The proposed project also requires site plan approval thus there are two application elements: special land use and site plan approval for the proposed landscape nursery. Although there are technically two elements, all are incorporated into one, combined site plan which will be reviewed and approved concurrently.

Per the Hartland Township Zoning Ordinance and the State Enabling Act, a public hearing is required for the special land use application. Given the requirements for publishing a notice for the special land use, the public hearing has been scheduled for the August 8, 2024, Planning Commission meeting.

Request and review of the plan

The applicant is requesting site plan with special land use approval to establish a landscape nursery at 5239 Fenton Road. A landscape nursery is considered a special land use in the CA zoning district, if the property is a minimum of ten (10) acres in size. The subject property is approximately ten (10) acres in size.

The site plan shows three (3) areas related to the landscape business: truck and trailer parking; materials stockpile area; and landscape nursery (tree and shrub) storage area. Per the plan the special use area is approximately 4.67 acres in size. The truck and trailer parking area has gravel surfacing. Currently the other two (2) Areas have vegetative ground cover.

Approval Procedure

The proposed use, landscape nursery requires approval from the Township Board for the special land use. The Planning Commission will review the special land use and make a recommendation to the Township Board.

The project also requires the site plan to be reviewed by the Planning Commission who will make a final decision on the site plan. The plans will be reviewed using applicable development standards of the CA (Conservation Agricultural) zoning district (Section 3.1.1), standards associated with uses related to Open Air Business, Commercial Outdoor Display, Sales or Storage (Section 4.38), and all applicable zoning standards in the Zoning Ordinance.

SPECIAL LAND USE REVIEW – General Standards

In accordance with Section 6.6, Special Uses, of the Hartland Township Zoning Ordinance, the following standards shall serve the Planning Commission and Township Board as the basis for decisions involving such uses. The standards are provided below, and the applicant’s consultant has submitted a letter, dated July 17, 2024 which addresses the special use criteria.

- A. Be harmonious and in accordance with the objectives, intent, and purposes of this Ordinance.
- B. Be compatible with the natural environment and existing and future land uses in the vicinity.
- C. Be compatible with the Hartland Township Comprehensive Plan.
- D. Be served adequately by essential facilities and public services, such as highways, streets, police and fire protection, drainage ways and structures, refuse disposal, or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such service.
- E. Not be detrimental, hazardous, or disturbing to the existing or future neighboring uses, person, property, or the public welfare.

- F. Not create additional requirements at public cost for public facilities and services that will be detrimental to the economic welfare of the community.

The Planning Department believes the proposed use can and will meet the criteria listed above for the special land use request, based on the letter provided by the applicant’s consultant.

SPECIAL LAND USE REVIEW – Applicable Site Standards

In addition to a finding by the Planning Commission and Township Board that the criteria above have been satisfied, the Use Standards of Section 4.38 (Open Air Business, Commercial Outdoor Display, Sales or Storage) apply. Those standards are listed below, followed by staff’s findings on each standard.

Open Air Business, Commercial Outdoor Display, Sales or Storage (Section 4.38)

- 1. Driveway Location. The nearest edge of any driveway serving an open-air business shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way) and at least twenty (20) feet from any side property line.

The plan complies with this standard.

- 2. Setbacks. No outdoor storage shall be permitted in any required front, side, or rear setback of buildings for the district in which the commercial outdoor display, sales or storage is located.

The site plan complies with this standard.

- 3. Lot width. The minimum lot width for open-air businesses shall be one hundred and fifty (150) feet.

The lot width is approximately 904 feet and complies.

- 4. Loading and Parking. All loading, truck maneuvering and parking areas for open-air businesses shall be confined within the boundaries of the site and shall not be permitted to spill over onto adjacent roads.

The truck and trailer parking area is within the boundaries of the site and does not encroach onto Fenton Road.

- 5. Storage. All stockpiles of soils, fertilizer or similar loosely package materials shall be sufficiently covered or contained to prevent dust or blowing of materials. Storage areas shall consist of a permanent, durable and dustless surface (gravel) and shall be graded and drained to dispose stormwater without a negative impact on adjacent property.

The site plan does not provide sufficient information regarding what materials will be stored or the surface material in the storage area.

- 6. Sales and Display. All outdoor sales and display areas shall have an approved paved or aggregate surface and a stormwater drainage system.

A sales/display area is not indicated on the plan. Based on air photography, the landscape nursery area is currently a field

- 7. Screening. All outdoor sales, display or storage area property lines adjacent to a residential district shall be screened in accordance with Sections 5.11 and 5.20.

Existing trees screen the site on the east, west, and south sides of the site.

8. Plant Material Nursery. Nurseries which deal with plant materials shall comply with the following:
 - A. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.

The site plan complies with the required setbacks for plant storage and display areas.

- B. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.

The site plan does not provide sufficient information regarding what materials will be stored.

SITE PLAN REVIEW – Applicable Site Standards

The applicable site standards include those standards related to the proposed use, landscape nursery, as outlined in Section 3.1.1 (CA – Conservation Agriculture); Section 4.38 of the Zoning Ordinance, as discussed above; and all applicable zoning standards in the Zoning Ordinance.

As noted previously, a landscape nursery is permitted as Special Land Use in CA, if located on at least ten (10) acres (Section 3.1.1.D.xv.). The subject property is ten (10) acres in size.

Applicable site standards are outlined in Section 4.38 which is discussed above. Additional site standards are not applicable for this request.

Other Requirements-Zoning Ordinance Standards

Nothing additional at this time.

Hartland Township DPW Review

No comments at this time.

Hartland Township Engineer’s Review (SDA)

No comments at this time.

Hartland Deerfield Fire Authority Review

No comments at this time.

Attachments:

1. Applicant’s letter dated 10.25.2023 – *PDF Version*
2. SUP responses 07.17.2024 – *PDF Version*
3. Section 3.1.1 CA (Conservation Agricultural) standards – *PDF Version*
4. Section 4.38 (Open Air Business, Commercial Outdoor Display, Sales or Storage) – *PDF Version*
5. 5239 Fenton Road air photo – *PDF Version*
6. Site plan dated 05.08.2024

CC:

SDA, Twp Engineer (via email)

Scott Hable, Twp DPW Director (via email)

A. Carroll, Hartland FD Fire Chief (via email)

Hartland Township Planning & Zoning.

Hello, my name is Dustin Proctor. I live at 5239 Fenton Road, Fenton Michigan 48430 along with my wife and our 3 daughters. My property consists of ten acres on which I have my home and a barn. In am the owner/operator of a small family business named DMG Horticultural Services and have owned this business for the past eleven years. My business is run by me, my wife, my brother, two close friends of the family and one employee.

We primarily perform landscaping services, plant trees, shrubs, perennials and annuals for our customers throughout Livingston and Oakland Counties. We do not have specific hours of operation it all depends on the weather and season.

Our business is not conducted on our property as we are in the service industry. We go to our customer to perform our services. We are not open to the public. In my barn is where we keep our tools and equipment. Our advertising is limited and we mostly rely on recommendations and word of mouth. Our administrative duties are taken care of by my wife and our office is our kitchen table.

In conclusion, my business is my family's only source of income along with the four others stated above that I employ.

Respectfully summitted,

Dustin Proctor

RECEIVED

OCT 25 2023

HARTLAND TOWNSHIP



July 18, 2024

Mr. Troy Langer, Planning Director
Hartland Township
2655 Clark Road
Hartland, Michigan 48353

Re: Dustin's Mowing - Special Land Use
5239 Fenton Road, Hartland Twp.

Dear Mr. Langer:

The owner has submitted an application for consideration of a Special Use Permit for a landscape nursery on the above referenced property. The property is an existing 10-acre parcel containing a residential home, barn and outbuildings.

Section 6.6.5 of the Zoning Ordinance provides six criteria or standards to be evaluated by the Planning Commission when considering a Special Land Use application. We provide the following discussion of the six criteria for consideration by the Planning Commission during their review of this application.

- A. Uses on the property consist of an existing single-family residence, and a landscape nursery and service business. The landscape nursery use on the property, consisting primarily of landscape plantings, materials and necessary equipment, is setback from the adjacent parcels, and is operated and maintained in accordance with the objectives, and purpose of the Township Zoning Ordinance.
- B. Existing and future land use of the surrounding parcels is residential, agricultural, and vacant land. Adjacent parcels are zoned AG and are used primarily as agricultural, single-family residential property. The proposed use for a portion of the property as a landscape nursery is compatible with the land use of the surrounding properties.
- C. The property is designated as Estate Residential in the Hartland Township Comprehensive Plan. Estate Residential is intended to provide very low density residential development and agricultural uses where appropriate. The proposed use as a landscape nursery is compatible with the agricultural characteristics described within the comprehensive plan.
- D. The property has frontage on and access from Fenton Road, is serviced by an onsite well and septic tank / disposal field, and existing electric, gas and phone systems. Solid waste is properly disposed of by a licensed disposal firm on a regular basis.

Troy Langer
July 18, 2024
Page 2

The Livingston County Sheriff and Michigan State Police provide Police protection, and the Hartland Deerfield Fire Authority provides fire protection service. No significant increase in public services are anticipated as a result of the proposed landscape nursery use.

- E. The proposed use of the property as a landscape nursery is not detrimental, hazardous, or disturbing to neighboring uses, persons, property of the public welfare.
- F. No additional requirements for public facilities and/or services will be created by use of the property as a landscape nursery.

Should you have questions pertaining to the project, please contact me at your convenience.

Respectfully,
DESINE INC.


Wayne M. Perry, P.E.

cc: Dustin Procter

244690\Special Land Use LTR 07-18-2024

1	Purpose and Introduction
2	Definitions
3	Zoning Districts
4	Use Standards
5	Site Standards
6	Development Procedures
7	Admin and Enforcement

3.1.1

CA Conservation Agriculture

A. INTENT

The intent of the "CA" Conservation Agricultural District is broad in scope but specific in purpose: to protect vital natural resources (for example, high quality water supplies, flood-prone areas, stable soils, significant stands of vegetative cover, substantial wetlands) and to protect lands best suited to agricultural use from the encroachment of incompatible uses which would cause such land to be taken out of production prematurely, while designating an area appropriate to low density single family residential development that does not alter the general rural character of the District.

The standards in this district are intended to assure that permitted uses peacefully coexist in a low density setting, while preserving the rural-like features and character of certain portions of the Township. Low density residential development is further intended to protect the public health in areas where it is not likely that public water and sewer services will be provided.

It is further the intent of this District to permit a limited range of residentially-related uses, and to prohibit multiple family, office, business, commercial, industrial and other uses that would interfere with the quality of residential life in this district. This District is intended to correspond to the Estate Residential future land use category of the Comprehensive Plan

i User Note: For uses listed in **bold blue**, refer to Article 4, or click on use, for use-specific standards

B. PRINCIPAL PERMITTED USES

- i. Agriculture[■] and farming
- ii. **Essential public services, provided there is no building or outdoor storage yard** §4.26
- iii. **Forests, forestry** §5.17
- iv. **Single family detached dwellings**[■] §4.1
- v. Township owned and operated water, sewer and storm drain systems
- vi. **Public park and recreation areas**[■] §4.40
- vii. State licensed residential facilities that provide care for up to six (6) individuals, including child day care and adult foster care[■]
- viii. **Private stables**[■] **when located on a site of not less than five (5) acres** §4.43

C. ACCESSORY USES

- i. **Accessory uses, buildings and structures customarily incidental to any of the above-named permitted uses** §5.14
- ii. **Home occupations**[■] §4.2
- iii. Living quarters for persons employed on the premises and not rented or used for some other purpose
- iv. **Temporary or seasonal roadside stand**[■] §4.41
- v. Seed and feed dealership provided there is no showroom or other commercial activities included
- vi. Land extensive recreation activities

D. SPECIAL LAND USES

- i. **Cemeteries** §4.19
- ii. **Adult care**[■] **and child care facilities**[■] **that provide care for seven (7) to twelve (12) individuals** §4.12
- iii. **Churches and religious institutions**[■] §4.20
- iv. **Nursing or convalescent homes,**[■] **or child caring institution** §4.23
- v. Duplex or two dwelling[■] for farm family only, in conjunction with a farm operation.
- vi. **Essential public service buildings, structures and equipment, excluding storage yards** §4.26
- vii. Forestry clearcut operation which encompasses thirty (30) or more acres over a three (3) year period or ten (10) or more acres during one year.
- viii. **Golf courses**[■] **and country clubs**[■] §4.30
- ix. **Kennels**[■] §4.33
- x. **Sand, gravel or mineral extraction** §4.5
- xi. **Public & private elementary, intermediate or high schools** §4.42
- xii. **Specialized animal raising and care**[■], **when located on at least five (5) acres** §4.10
- xiii. **Public stables**[■] **or riding arenas** §4.43
- xiv. **Radio, telephone and television transmitting and receiving towers**[■] §4.39
- xv. **Landscape nursery**[■], **if located on at least ten (10) acres** §4.38
- xvi. **Veterinary offices/clinics (large animal)**[■] §4.45
- xvii. **Private recreation areas**[■] §4.40
- xviii. **Bed and breakfast facilities**[■] §4.18
- xix. Farm markets, cider mills, and you-pick operations on a farm
- xx. Wildlife refuges
- xxi. Game preserves



E. DEVELOPMENT STANDARDS

Lot Size

Minimum lot area [☐] :	
Farm dwelling	10 Acres
Single-family detached dwelling	2 Acres
Minimum lot width [☐] :	
Farm dwelling	300 ft
Single-family detached dwelling	200 ft

Maximum Lot Coverage[☐]

Farm dwelling	5%
Single-family detached dwelling	15%

Setbacks[☐]

Minimum front yard setback:	50ft
Minimum rear yard setback:	50ft
Minimum side yard setback:	15 ft

Building Height[☐]

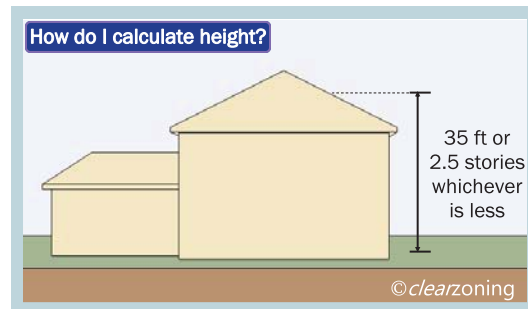
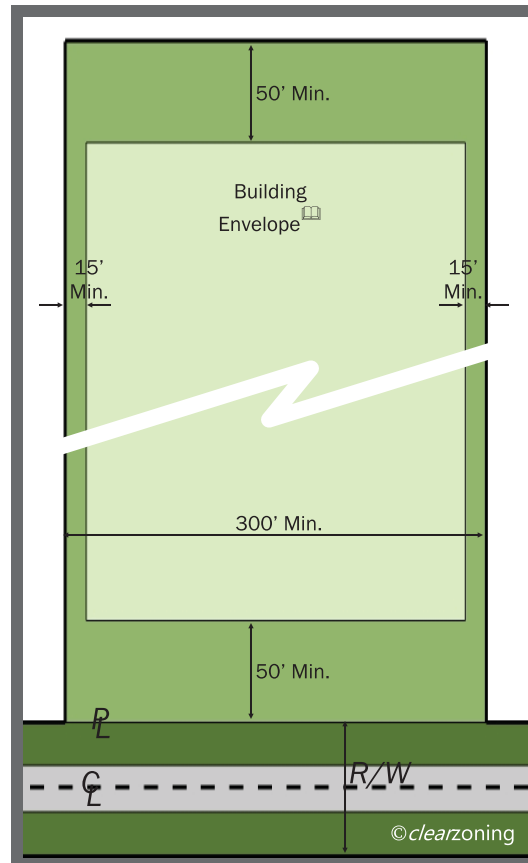
Maximum building height:	35 ft or 2.5 stories whichever is less
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Floor Area[☐]

Minimum floor area per one-family dwelling [☐] :	
1 story	1,200 sq ft
1+ stories	960 sq ft (first floor) 1,200 sq ft (total)

NOTES

- For additions to the above requirements, refer to Section 3.24: 1, 2, 5, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28.
- See *Suggested References* below for applicability



The above drawings are not to scale.

SELECTED REFERENCES

3. Zoning Districts

- **General Exemptions for Essential Services** §3.8

4. Use Standards

- **Farms** §4.27
- **Keeping of Animals** §4.10
- **Rural Open Space Development Option** §4.48
- **Stables and Riding Arenas** §4.43
- **Residential Design Standards** §4.1

5. Site Standards

- **Sidewalks and Pathways** §5.12
- **Paved Access** §5.22
- **Off-Street Parking Requirements** §5.8
- **Access Management and Driveways** §5.10
- **Landscaping and Screening** §5.11
- **Lighting** §5.13
- **Walls and Fences** §5.20
- **Performance Standards** §5.19
- **Architectural Standards** §5.24
- **Accessory Structures and Uses** §5.14
- **Specific Landscaping Requirements** §5.11.6

6. Development Procedures

- **Site Plan Review** §6.1
- **Traffic Impact Assessment** §6.5
- **Special Uses** §6.6

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



6. Noise. Oil and gas processing plants shall comply with the noise standards set forth in Section 5.19, Performance Standards.
7. Automatic Alarm System. In the event that instruments, sensors, or monitors detect a malfunction of the system, including but not limited to the detection of gas leaks, odors, fire, flare failure, or improper operation of the processing equipment, an alarm system shall be set to automatically operate. The alarm system shall be operated through a bonded alarm company approved by the Township. The alarm company shall be instructed to contact the Township Fire Department dispatcher and plant operating personnel.
8. Site Security. The following security measures shall be maintained on the site:
 - A. Fencing. The site shall be fully enclosed with a eight foot high chain link fence with three strands of barbed wire along the top of the fence.
 - B. Locking of the Facility. All building doors and fence gates shall be kept closed and locked, except when personnel are at the site during the daytime hours.
 - C. Signs. "Poisonous Gas" or other appropriate warning signs shall be placed at fifty (50) foot intervals along the fence surrounding the facility. The warning signs shall have a reflective surface.
 - D. Lighting. The site shall be adequately lighted, and subject to the standards of Section 5.13, Lighting.
 - E. Telephone Monitoring System. In the event of a break-in or other lapse of security, the bonded alarm system shall automatically be put into operation, and operating personnel and local law enforcement officials shall be notified.
9. Preventative Maintenance. The facility shall be maintained in proper operating condition at all times. Manufacturer's recommendations concerning periodic maintenance shall be adhered to.
10. Site Closure. In the event that operation of the facility is terminated for a period exceeding six (6) months, all equipment and surface piping shall be removed and foundations shall be destroyed to a depth of 36 inches below grade. The entire site shall be evenly graded and re-seeded.
11. Other Approvals. The applicant shall submit proof of permits and approvals from all state or

county agencies having jurisdiction, including but not limited to: the Michigan Department of Natural Resources (MDNR) Waste Management Division, Michigan Pollution Control Commission, Livingston County Health Department, Livingston County Road Commission, Livingston County Drain Commission, MDNR Environmental Response Division, and Michigan Department of State Police Fire Marshall Division.

12. Performance Guarantee. Prior to issuance of a building permit, the Township require submission of a performance guarantee, in accordance with Section 6.4.
13. Franchise Agreements for Oil and Gas Lines. The Township Board shall consider all requests for Franchise Agreements, consistent with the provisions of state and federal law.

4.38 OPEN-AIR BUSINESS, COMMERCIAL OUTDOOR DISPLAY, SALES OR STORAGE

The following regulations shall apply to all such uses, whether operated year round or on an intermittent basis, or as a principal or accessory use:

1. Driveway Location. The nearest edge of any driveway serving an open-air business shall be located at least sixty (60) feet from any street or road intersection (as measured from the nearest intersection right-of-way) and at least twenty (20) feet from any side property line.
2. Setbacks. No outdoor storage shall be permitted in any required front, side, or rear setback of buildings for the district in which the commercial outdoor display, sales or storage used is located..
3. Lot Width. The minimum lot width for open-air businesses shall be one hundred and fifty (150) feet.
4. Loading and Parking. All loading, truck maneuvering and parking areas for open-air businesses shall be confined within the boundaries of the site, and shall not be permitted to spill over onto adjacent roads.
5. Storage. Any stockpiles of soils, fertilizer or similar loosely packaged materials shall be sufficiently covered or contained to prevent dust or blowing of materials. Storage areas shall consist of a permanent, durable and dustless surface (gravel) and shall be graded and drained to dispose stormwater without a negative impact on adjacent property.

1 Purpose and Introduction

2 Definitions

3 Zoning Districts

4 Use Standards

5 Site Standards

6 Development Procedures

7 Admin and Enforcement



- 6. Sales and Display. All outdoor sales and display areas shall have an approved paved or aggregate surface and a stormwater drainage system.
- 7. Screening. All outdoor sales, display or storage area property lines adjacent to a residential district shall be screened in accordance with Sections 5.11 and 5.20.
- 8. Outdoor Display of Vehicles. Please see Section 4.15 – Automobile or Vehicle Dealers. .
- 9. Plant Material Nursery. Nurseries which deal with plant materials shall comply with the following:
 - A. Plant storage and display areas shall comply with the minimum setback requirements for the district in which the nursery is located.
 - B. The storage of soil, fertilizer, and similar loosely packaged materials shall be contained and covered to prevent it from blowing onto adjacent properties.
- 10. Flea Markets. Flea markets shall not be permitted as a year round use.
- 11. Broadcasting Devices Prohibited. Devices for the transmission or broadcasting of audible voice or music sounds, such as a public address system, bells or tone devices, shall be prohibited outside of any building.

4.39 RADIO, TELEVISION AND OTHER COMMUNICATIONS TOWERS

The following regulations shall apply to commercial and public radio and television towers, microwave towers, and other communication antennae/ towers:

- 1. Setbacks. Any such tower shall be set back from all property lines a minimum distance of fifty (50) feet greater than the height of the tower except in the case that the Planning Commission determines that a lesser setback is needed. The Planning Commission’s determination shall be based upon engineering evidence provided by the applicant that the tower is self-collapsing. All guide wires, supports and anchors must adhere to district setback requirements.
- 2. Fencing. An open weave, eight (8) foot high chain link fence shall be constructed around the entire perimeter, in accordance with Section 5.20.
- 3. State and Federal Regulations. Radio, television, and other types of communication towers shall be constructed, maintained, and

operated in conformance with applicable state and federal laws..

- 4. Landscaping. The base of such towers shall be landscaped for screening in accordance with Section 5.11.

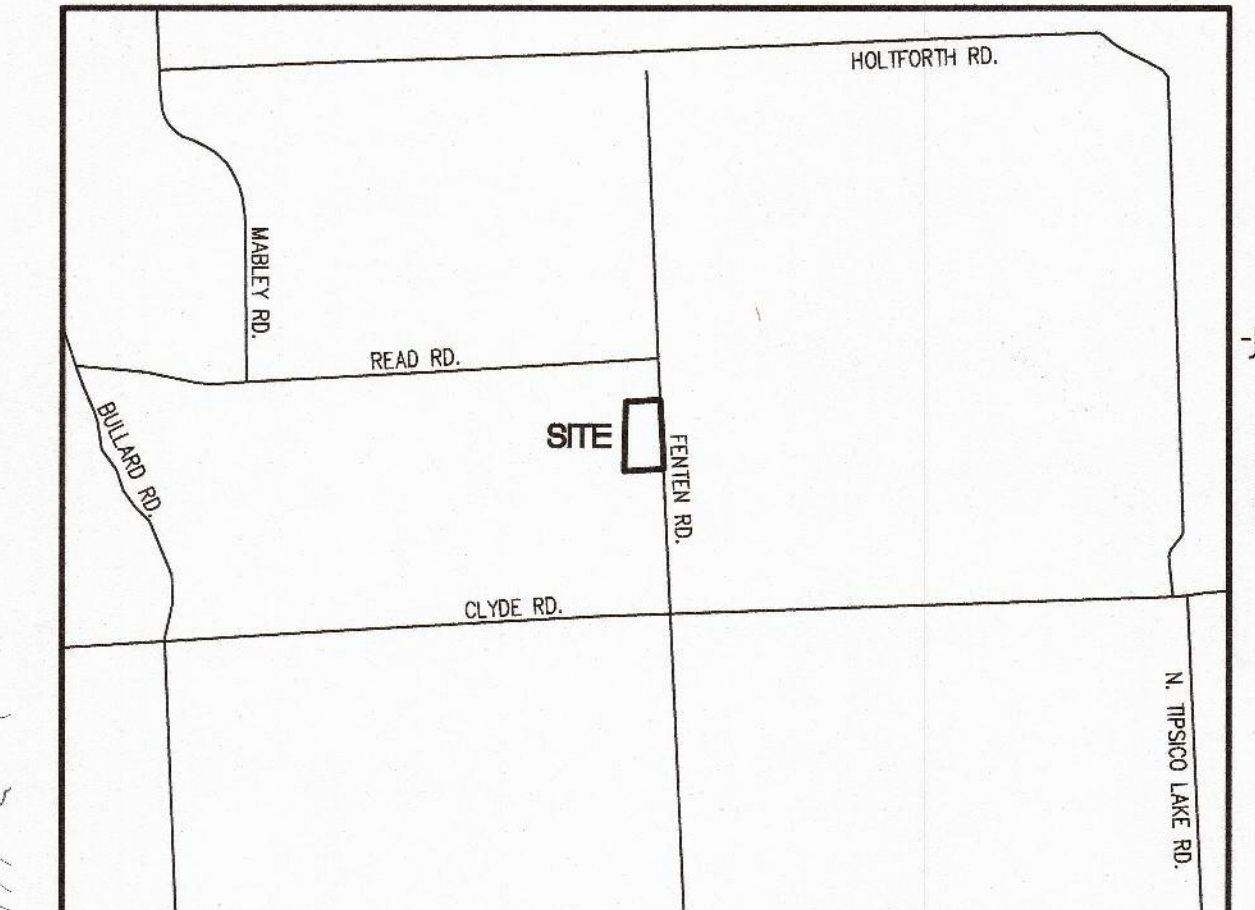
4.40 RECREATION FACILITIES

- 1. Campgrounds. Campgrounds for travel trailers, tents, tent-campers, and motor homes, shall comply with the following requirements:
 - A. Setbacks. Buildings, structures, and areas designated for camping shall be located a minimum of one hundred (100) feet from all property lines. The storage of vehicles not set up for occupancy shall be located a minimum of two hundred (200) feet from all property lines, and shall be screened in accordance with Section 5.11, Landscaping and Screening.
 - B. Minimum Campsite Size. Each campsite shall be at least two thousand (2,000) square feet in size for campsites designed to serve motor homes, trailers, etc. Campsites designed for tent camping shall be at least six hundred (600) square feet in size.
 - C. Utilities. Each campsite shall either be provided with individual electric and water hookups approved by the Livingston County Health Department, or shall have convenient access to approved service buildings. Sewer hook-ups are optional.
 - D. Minimum Parcel Size. A campground shall have a minimum of twenty (20) acres.
 - E. Temporary Residency. Campgrounds shall be for seasonal recreation use only. This provision shall not apply to the manager or caretaker.
 - F. Accessory Use. Accessory uses shall include but not be limited to rental cabins and trailers, swimming docks, and game rooms.
- 2. Commercial Outdoor Recreation Facilities. Outdoor recreation facilities, such as, but not limited to recreational fields, rinks or courts, including football, softball, soccer, tennis basketball, ice skating, and similar activities, swimming pools open to the general public or operated by a private non-profit organization, archery and shooting ranges, commercial riding stables, animal racing, music concert pavilions and band shells, amusement parks and uses accessory to the above uses, such as

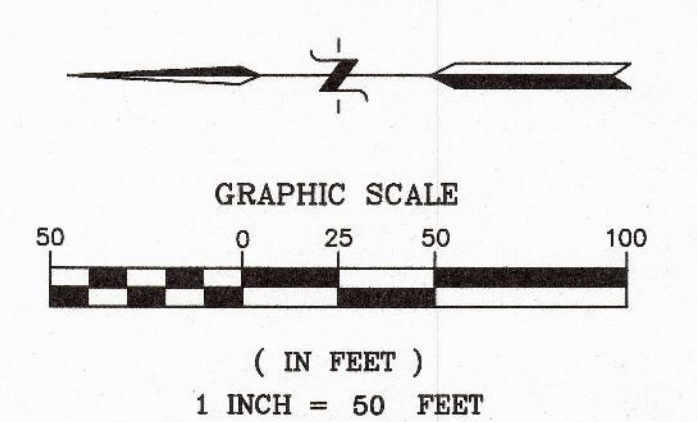


5239 Fenton Road
June 8, 2024



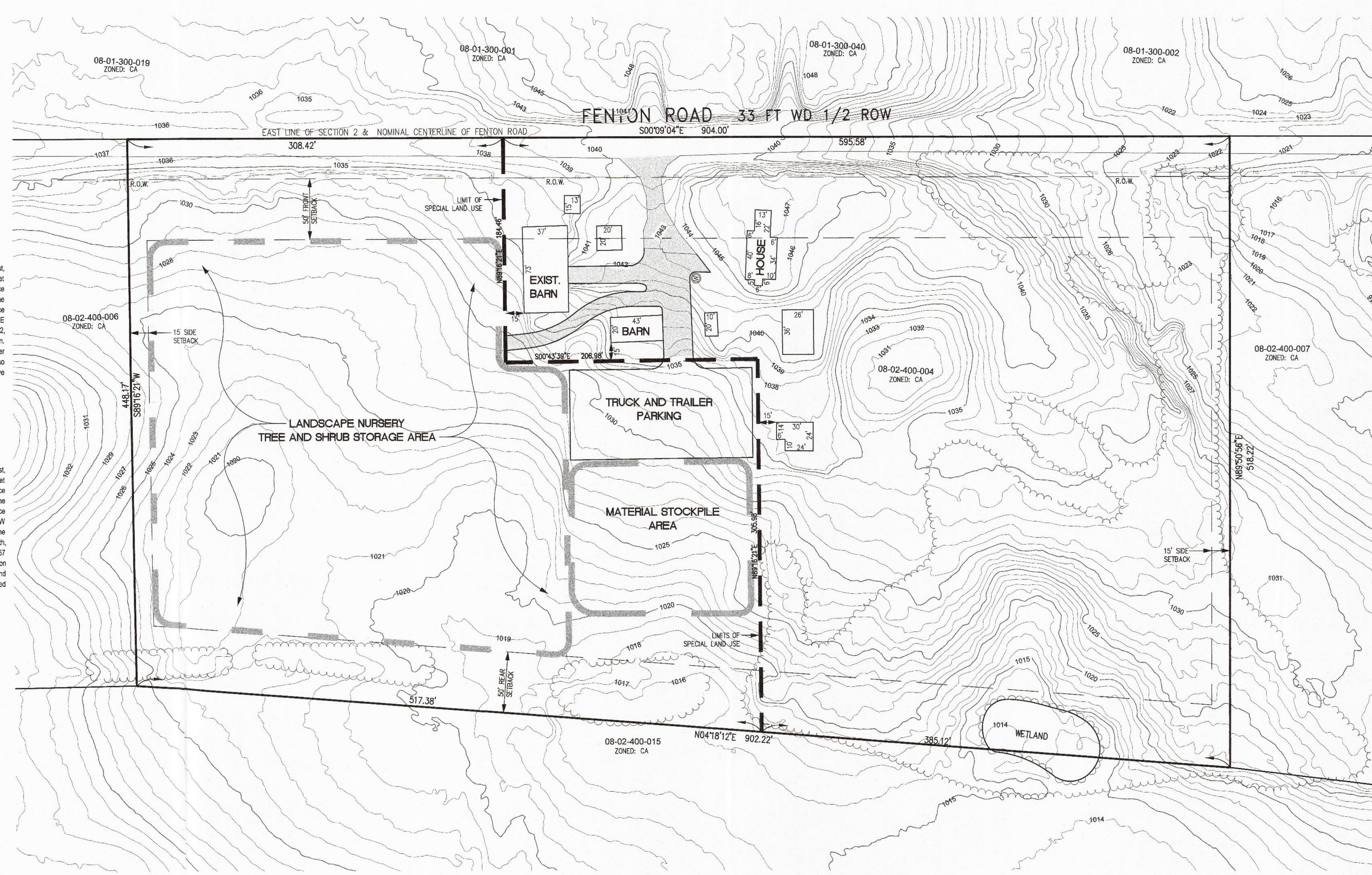


LOCATION MAP
SCALE: 1" = 2000'



- LEGEND**
- PARCEL BOUNDARY
 - PUBLIC ROAD RIGHT OF WAY
 - BUILDING SETBACK
 - OVERHEAD UTILITY LINE
 - UTILITY POLE
 - LIMITS OF SPECIAL USE
 - 1' CONTOUR
 - 5' CONTOUR

- SITE CHARACTERISTICS**
- PARCEL ID: 08-02-400-004
 - ZONED: CA
 - AREA: 10.00 AC.
 - WIDTH: 904.00'
- LANDSCAPE NURSERY**
- AREA: 4.67 AC.



PARCEL 4708-02-400-004 10.00± Acres

Commencing at the East 1/4 Corner of Section 2, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan; thence S00°09'04"E 579.43 feet along the East line of said Section 2 to the PLACE OF BEGINNING; thence continuing S00°09'04"E 904.00 feet along said East line of Section 2, same being the nominal centerline of Fenton Road (33 foot wide 1/2 Right-of-Way); thence S89°50'56"W 518.22 feet; thence N04°18'12"E 902.22 feet; thence N89°16'21"E 448.17 feet to the Place of Beginning. Being a part of the Southeast 1/4 of Section 2, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan. Containing 10.00 acres of land, more or less. Subject to the rights of the public over that portion thereof occupied by Fenton Road (33 foot wide 1/2 Right-of-Way), also subject to and together with all easements and restrictions affecting title to the above described premises.

SPECIAL USE AREA 4.67± Acres

Commencing at the East 1/4 Corner of Section 2, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan; thence S00°09'04"E 579.43 feet along the East line of said Section 2 to the PLACE OF BEGINNING; thence continuing S00°09'04"E 308.42 feet along said East line of Section 2, same being the nominal centerline of Fenton Road (33 foot wide 1/2 Right-of-Way); thence S89°16'21"W 184.46 feet; thence S00°43'39"E 206.98 feet; thence S89°16'21"W 305.98 feet; thence N04°18'12"E 517.32 feet; thence N89°16'21"E 448.17 feet to the Place of Beginning. Being a part of the Southeast 1/4 of Section 2, Town 3 North, Range 6 East, Hartland Township, Livingston County, Michigan. Containing 4.67 acres of land, more or less. Subject to the rights of the public over that portion thereof occupied by Fenton Road (33 foot wide 1/2 Right-of-Way), also subject to and together with all easements and restrictions affecting title to the above described premises.

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CHECK: WMP						

DUSTIN'S MOWING
5239 FENTON ROAD

**LANDSCAPE/NURSERY
SPECIAL LAND USE
CONCEPTUAL SITE PLAN**

CLIENT:
DUSTIN'S MOWING
5239 FENTON RD.
FENTON, MICHIGAN 48430
248-550-4485

SCALE: 1in. = 50ft.
PROJECT No.: 244690
DWG NAME: 4690 ALX
ISSUED: MAY 8, 2024

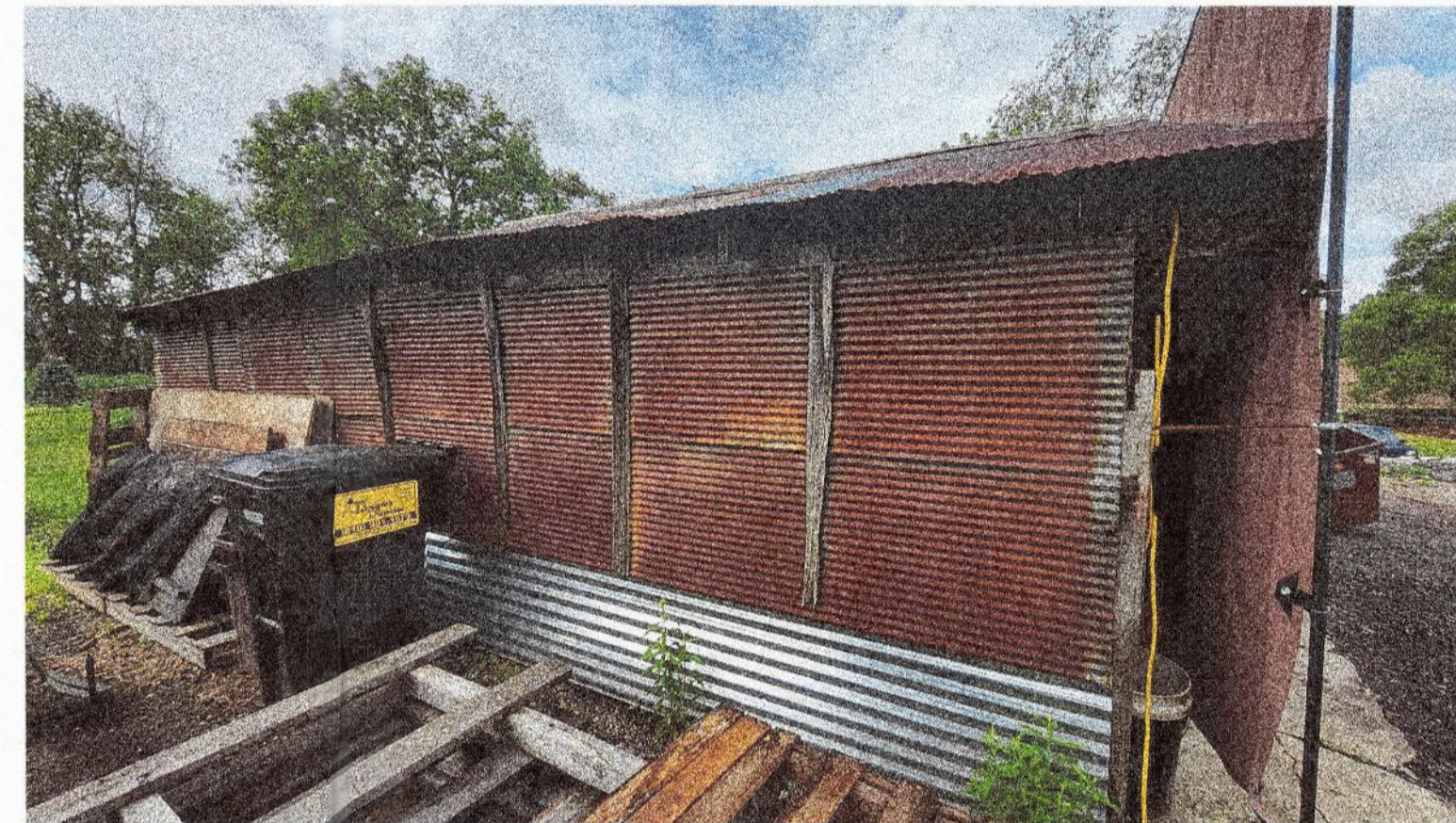
1



SHED



BARN



SHED



HOUSE



TRUCK PARKING

DESIGN: WMP	REVISION #	DATE	REVISION-DESCRIPTION	REVISION #	DATE	REVISION-DESCRIPTION
DRAFT: JHG						
CHECK: WMP						

DUSTIN'S MOWING
5239 FENTON ROAD

LANDSCAPE/NURSERY
SPECIAL LAND USE
EXISTING CONDITIONS PHOTOS

CLIENT:
 DUSTIN'S MOWING
 5239 FENTON RD.
 FENTON, MICHIGAN 48430
 248-550-4485

SCALE: 1in. = 50ft.
 PROJECT No.: 244690
 DWG NAME: 4690 ALX
 ISSUED: **MAY 28, 2024**