

Milton Township  
Planning Commission  
Regular Meeting  
February 4, 2026  
7:00 PM

7023 Cherry Ave. / Kewadin, MI

1. Call meeting to order. Note members, present, absent, or excused.
2. Public Comment
3. Approval of Agenda
4. Approval of Minutes - January 7, 2026
5. Correspondence
6. Old Business - None
7. New Business
  - a) PUBLIC HEARING- SUP 2026-01 – Smith Motel
  - b) PUBLIC HEARING – SUP 2026-03 – Hendrickson B&B
  - c) INTRO ZOA 2026-01 – 117.1616 PRD request by Tad
  - d) Migrant Workers Facility Discussion
  - e) Introduction prior to Public Hearing Discussion
8. Reports
  - a) Zoning Administration Office Report
  - b) Township Board Report– Renis
  - c) Zoning Board of Appeals – Hefferan
  - d) Planning Commission Updates – All
9. Future Meeting Considerations – March 4, 2026
10. Adjourn

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***Active Subcommittees (created date)***

Milton Township  
Planning Commission  
Unapproved Regular Meeting Minutes  
January 7, 2026  
7023 Cherry Ave., Kewadin, MI 49648

1. Call to Order: Chairman Hefferan, Renis, Standerfer, Warner, Peters, and Merillat.

Members absent: Ford, excused.

Also present: Sara Kopriva and 5 audience members.

2. Public Comment: None.

3. Approval of Agenda:

**Motion** by Renis to approve the agenda. Seconded by Warner. **Motion carried.**

4. Approval of Minutes of December 3, 2025:

**Motion** by Warner to approve the minutes dated of December 3, 2025 as presented. Seconded by Hefferan. **Motion carried.**

5. Correspondence: None.

6. Old Business: None.

7. New Business:

A) Election of Officers:

Nominations for Chair: Warner was nominated. No other nominations. Nominations closed.

**Motion** by Hefferan to elect Warner as chair. Seconded by Merillat. **Motion carried.**

Nominations for Vice Chair: Ford was nominated. No other nominations. Nominations closed.

**Motion** by Warner to elect Ford as vice chair. Seconded by Standerfer. **Motion carried.**

Nominations for Secretary: Merillat was nominated. No other nominations. Nominations closed.

**Motion** by Hefferan to elect Merillat as Secretary. Seconded by Warner. **Motion carried.**

B) Public Hearing: Zoning Ordinance Amendment 2025-06: Sections 117.317 and 117.222 RE Vacation Rentals:

Warner reviewed the amendment and discussed public hearing procedure. Kopriva gave a history on the amendment. There is no change in the policy. This is just a clarification of the policy and language to conform to the Vacation Rental Ordinance.

Communications received: None.

Those asking questions for information: None.

Those speaking in favor: None.

Those speaking against: None.

Commission Member Comments: None.

**Motion** by Hefferan to recommend approval of ZOA 2025-06 to the Antrim County Planning Commission and Milton Township Board of Trustees. Seconded by Renis **Motion carried.**

C) Sketch Plan Review: SUP 2026-01 SDG LLC Planned Residential Development and Condominium Subdivision. Kopriva gave background on the application. The process is to get feedback on the project. This is a non-binding discussion. There are no motions or decisions to be made.

Jenna Hill Evashevski and Johnathan Lee gave a presentation. Evashevski said this is a proposed 39 units PRD. It is cluster housing to protect the green space and open sky. We intend to create pathways to the conservancy. They provided a conceptual design and walked through that concept. They did review the master plan to accommodate concerns of the township. Lee is the architect and he has shown overview drawings. They have included possible ways to overcome concerns of the community and how to protect green spaces, water, and dark skies. They would also like to replant trees that were previously removed. This design will help people who are looking for single level living and help create housing that is needed in the area.

Hefferan asked regarding the architecture overview. Evashevski discussed the black and white sketch is the inspiration for the types of units. This is conceptual only. Lee worked through the math of the acreage and the density of the homes and open space. They are working on tightening up the placement and numbers.

Warner asked about the .6 acres that are currently zoned AG. Kopriva said we need to determine how it should be included in the calculation. Merrillat said he does not believe that should be included as an Ag zoned parcel. Now it is non-conforming. This could be re-zoned. Kopriva said it cannot be combined because it is in a different section of the county.

Kopriva asked about the amenities regarding what is public and what is private. Lee said there is a community/service type building. There is also storm water treatment capture ponds. We will also have a septic treatment system. Since the village does not have a municipal system, they will create engineered septic treatment plants which we have created and used before. The community building would also need to house the water and septic systems for the project. This is still under determination regarding the use of the building, but it would be for residents only.

Warner asked Kopriva if there is anything presented here that is concerning regarding the use. She said no. Warner and commission members discussed the concept of having the pickleball courts open to the public and how this could cause issues with the condo owners. Warner said having lived here and understanding the Torch River area, he would not open up anything to the public.

Renis asked with this layout, would there be any grading or excavating? Lee said in general, it would 85% stay and 15% adjusted in a way that is manageable for the slopes. They are working to avoid moving earth and to mitigate any erosion.

Hefferan asked Kopriva regarding subdivisions and these are permitted in the village. Why is this not a subdivision? It is under the PRD to get the density. Hefferan asked regarding 1602-A and G. The property was changed dramatically five years ago. How will this fit into that? Kopriva said that is something that needs to be discussed. It has sat there now for five years open. We need to discuss if the development is better than what is currently there.

Renis asked what happened to Torch Lake Terrace Condo? This approval expired. Hefferan asked at what point is this property in its natural state? Hefferan said we have very active waterfront associations in our community and they were involved in the prior proposal and they will look closely at this proposal. Lee said it is not our intention to further damage neighboring properties. We want to get the site stabilized and have native plants and trees brought in. We want it to look and feel like this community. Warner asked regarding the storm water plan? Those can be planted over the top? Yes.

Warner said we really need to look at the AG .6 acres and the allowance to go forward with these plans. Kopriva said yes. If you have major concerns with the proposal or something that should be included, give them that information as they move forward. This is a special use and you will see it a few more times and a public hearing before a decision is made. You are not bound to what you bring up today.

Renis asked regarding the parking. Lee said they will do a road study and this will be refined at that point. Renis said it is a very thoughtful use of the property, but this property was scared. Designing the buildings color white might be very bright rather than blending in with the environment. Lee said these are just early ideas. These can be refined. We realized we are inheriting some bad history, but we want to bring this area forward in a way the community can appreciate the efforts.

Hefferan said he echoed Renis' comments. Kopriva will be able to help these folks. We have heard all of the complaints about this parcel and we should be able to minimize those concerns and provide those to this applicant.

Merillat asked regarding 117.1616-B-8 as to the common buildings being limited to the max size of 1,000 square feet. Kopriva said the Commission will need to look at this when discussing the community center/utility building. Merillat said that only including the non-utility footprint may work but unless we change the ordinance, we could not have a community center over 1,000 square feet. Merillat said we may have the wrong base density (1616-B-3) because you cannot include slopes over 90%. There is quite a lot of that on that parcel. Lee said he will look at that closely. The calculation also cannot include wetlands. Lee said there are not any currently. Merillat said it is not proper to grant a density bonus on land that is otherwise unbuildable. We know they can get 14 because that is what we approved previously. Lee said if we find a 3% number that is a slope, then that takes away from that 75% open space.

D) Bylaw Review: Kopriva said you look at the bylaws every year and it was previously discussed to include putting a cutoff on written public comment. Is there a desire to add in a deadline for this? Renis asked if it can be included in the legal notice. It currently says it will be received until noon the day of the hearing. Merillat said the bylaws we were given are not the current bylaws. We made revisions and approved them on April 21, 2022 which is the last copy he has. We approved them in 2023 without change February 1, 2023 and then approved additional changes on February 7, 2024. Merillat does not have a copy of those. On January 8, 2025 we adopted more changes. Kopriva will research. The most recent version should be January 8, 2025. This will be reviewed again next month.

8. Reports:

A) Zoning Administration Office Report: Provided in the packet.

B) Township Board Report: Renis said they passed the ZO 2025 02 taxes paid prior to permit.

C) ZBA Report: Hefferan: No meeting.

D) Planning Commission Updates: Hefferan asked regarding letting the township board know that Merillat and Warner's terms will expire. Kopriva will review this with the board.

9. Future Meeting Considerations: February 4, 2026. Kopriva discussed possible items on the agenda.

10. Adjourn: Meeting adjourned by order of the chair at 8:20 pm.

Respectfully submitted,

Joseph Merillat

Date: 01.28.2026  
From: Jenn Cram, AICP  
To: Milton Township Planning Commission

**Project:** Special Use Permit - 2026-02 South Torch Lake Assisted Living, LLC - Ashley Smith, 12800 Cherry Avenue, Rapid City, MI 49676, parcel # 05-12-006-046-00



**Request:** The applicant would like to convert the existing building with 15 rooms/units from an Adult Foster Care Home back to a 15-room/unit Motel.

**Property Address:**

12800 Cherry Avenue, Rapid City, MI 49676

**Parcel Number:**

05-12-006-046-00

**Zoning:** V- Village

**Master Plan Future Land Use Designation:** MUC - Mixed Use Commercial

**Lot Area:** 1.33 acres

**Setbacks:** Existing  
Front: 50 feet  
Side: 50 feet

**Building Height:** Existing One Story  
(Less than 3 stories & 40 feet)

**Water:** Existing Well

**Sewage Disposal:** Existing On-site Septic System

**Parking:** 29 Spaces Existing, Incl. 2 ADA



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Traverse City Office  
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Suite 207  
Traverse City, MI 49684

231.933.8400 ph  
231.944.1709 fx

Grand Rapids Office  
5211 Cascade Road SE  
Suite 300  
Grand Rapids, MI 49546

616.585.1295 ph



### **117.1102 – Village Special Land Uses**

Both Motels (with more than 10 units) and Adult Foster Care Group Homes are uses permitted in the Village district with special use approval.

The property received special land use approval for a 15-unit Motel on October 21, 1999, and was in operation from 2001 - 2017. The property received special land use approval for an Adult Foster Care Group Home with 15 units on July 11, 2017.

There are no specific standards or requirements included in Chapter 16 for Motels.

### **117.1805 – Non-Residential Parking**

Motels require one (1) parking space per employee and one (1) parking space per unit plus 50% for any additional services. Thus, the minimum number of parking spaces required is 15 plus one for each employee.

There are 29 parking spaces that exist on the property and shown on the site plan including 2 ADA spaces.

### **Site Plan Review**

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**117.2103 Application Procedure for Site Plan Review.** Requests for site plan approval shall be made by filing with the Township Zoning Administrator a complete application containing all information required in this Ordinance.

A. At a minimum, the application shall include the following information:

1. The applicant's full name, address and phone number including area code.  
**Provided.**
2. Proof of property ownership, and whether there are any options on the property, or liens against it.  
**Provided.**
3. A signed statement that the applicant is the owner of the property or officially acting on the owner's behalf and authorizing reasonable entry onto the property by the Zoning Administrator, Planning Commission and other Township representatives for the purpose of administering their responsibilities under this ordinance.  
**Provided**

4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).

**Not Applicable.** The applicant is the owner of record.

5. The address and parcel (Tax Roll) number of each parcel contained in the proposed site plan.

**Provided.**

6. The name and address of the developer (if different from applicant).

**Provided.**

7. Name and address of the licensed professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.

**Provided.**

8. Project title.

**Provided.**

9. An overall project description.

**Provided.**

10. A vicinity map drawn at 1" = 2,000' with north point indicated.

**Provided.** Aerial of property included in staff report. Vicinity map included on site plan from original approval in 1999.

11. The gross and net acreage of all parcels in the project.

**Provided.** The property contains 1.33 acres according to original site plan from original approval in 1999.

12. Current land use, zoning classification and existing structures on the subject parcel and adjoining parcels.

**Provided.** Existing building with 15 units, entry area, office, storage areas and parking. Current approved use = Adult Foster Care Home. Proposed use = 15-unit Motel.

13. Project development phases and completion schedule.

**Provided.** Building and parking exist, no construction proposed.

14. A written statement relative to project impacts on existing infrastructure (including traffic capacity of street, schools and existing utilities) and on the natural environment of the site and adjoining lands and as it is related to the

Milton Township Zoning Ordinance. Detailed requirements will vary depending on the project size and impact to the Township and the Planning Commission may request additional information.

**Provided.**

15. All required permits from outside agencies such as, but not limited to, Antrim County Soil Erosion, Antrim County Road Commission, Michigan Department of Transportation, Michigan Department of Environment, Great Lakes and Energy, and Health Department of Northwest Michigan. A letter of “no concern” can be used in place of a permit if the agency cannot issue a permit until after a zoning permit.

**Not provided.** The Planning Commission may wish to request approval from the Health Department of Northwest Michigan to demonstrate that the existing well and on-site septic system are still appropriate for the proposed use. Staff believes this could be handled with a condition of approval if needed.

- b. The site plan shall consist of accurate drawings at a scale of not less than 1” = 100’ or as recommended by the Planning Commission and/or Zoning Administrator, showing the site and all land within one hundred and fifty (150) feet of the site. If multiple sheets are used, each shall be labeled and preparer identified. Each site plan shall depict the following, unless waived by the Planning Commission as irrelevant to the proposal under consideration.
  1. Location of proposed and existing property lines, dimensions, legal descriptions, easements, setback lines and monument locations.

**Provided.**

2. Existing topographic elevations at two (2) foot intervals, proposed grades and directional drainage flows.

**Provided.** The property includes an existing building and parking. There is no new construction proposed. The site plan shows the drainage plan.

3. The location and type of existing soils on the site.

**Not Applicable.** Construction completed and no changes proposed.

4. Location and type of existing vegetation and wetlands, and how they are proposed to be preserved and managed.

**No changes to existing vegetation are proposed.**

5. Location and elevations of existing water courses and water bodies, including county drains, man-made surface drainage ways, floodplain and wetlands, as

identified by the DNRE in an official determination request or by a specialist approved by the DNRE.

**Provided.** There are no water courses, wetlands on the property. The property is not located within a designated floodplain. Existing man-made surface drainage ways are shown on the site plan. No changes to existing proposed.

6. Location of existing and proposed buildings and intended use thereof as well as the length, width and height of each building, and typical elevation views of proposed structures.

**Partially Provided.** Elevation drawings of proposed buildings were not provided, but the building exists and no changes are proposed.

7. Proposed location of accessory structures, buildings and uses; including but not limited to all flagpoles, light poles, bulkheads, docks, storage sheds, transformers, air conditioners, generators and similar equipment, and the method of screening where required.

**Provided.** No changes to existing proposed.

8. Location of existing public roads, rights-of-way and private easements of record and abutting streets.

**Provided.** No changes to existing proposed.

9. Location and dimensions of proposed streets, drives, curb cuts and access easements, as well as acceleration, deceleration and passing lanes serving the development. Details of entry way and sign locations shall be separately depicted with an elevation view.

**Provided.** No changes to existing proposed.

10. Location, design and dimensions of existing and/or proposed curbing, barrier-free access, carports, parking areas (including indication of all spaces and methods of surfacing) fire lanes and all lighting thereof.

**Provided.** No changes to existing proposed.

11. Location, size and characteristics of all loading and unloading areas.

**Provided.** No changes to existing proposed.

12. Location and design of all sidewalks, walkways, bicycle paths and areas for public use.

**Provided.** No changes to existing walkways proposed.

13. Location or layout of water supply lines and/or wells, including fire hydrants and shut off valves, and the location and design of storm sewers, retention and

detention ponds, waste water lines, cleanout locations, connection points and treatment systems, including septic systems if applicable.

**Provided.** No changes to utilities proposed.

14. Location or layout of all other utilities on the site including but not limited to natural gas, electric, cable TV, telephone and stream.

**Provided.** No changes to existing proposed.

15. Proposed location, dimensions and details of common open spaces and any common facilities such as community buildings and swimming pools, if applicable.

**Provided.** No changes to existing proposed.

16. Locations, size and specifications of all signs and advertising features showing all views.

**No new signage proposed at this time.** The location of existing signage shown on site plan. All signs must meet the requirements of Chapter 17 and require a permit.

17. Exterior lighting locations with areas of illumination illustrated as well as the type of fixtures and shielding to be used.

**No new exterior lighting proposed.**

18. Location and specifications for all fences, walls and other screening features with cross-sections.

**No new fences or screening proposed.**

19. Location and specifications for all proposed perimeter and internal landscaping and other buffering features. For each new landscape material the proposed size at the time of planting must be indicated. All vegetation to be removed or retained on the site must also be indicated, as well as its typical size by general location or range of sizes as appropriate.

**No new landscaping proposed.**

20. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.

**No new trash receptacles or disposal facilities are proposed.**

21. Location and specification for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well as any containment structures or clear zones required by government authorities.

**No storage of hazardous materials proposed.**

22. Identification of any significant site amenities or unique natural features.

**No significant site amenities or natural features exist on the property.**

23. Identification of any significant views onto or from the site to or from adjoining areas.

**No significant views identified.**

24. North arrow, scale and date of original submission and last revision.

**Provided.**

25. A seal is required of a licensed, professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.

**Provided on original site plan approved in 1999.**

26. Storm water plan that retains all storm water on site and shall use a 100-year storm event as the engineering basis of design.

**No changes to existing site and storm water plan proposed.**

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## Approval Criteria

Below are the approval criteria for both site plan review and special land uses. Draft findings are provided but may be updated/changed as the Planning Commission deems appropriate.

### Site Plan Review

**117.2105 Criteria for Review.** In reviewing the application and site plan and approving, disapproving or modifying the same, the Planning Commission shall be governed by the following standards:

- A. That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.

***Staff Finding.** There appears to be a reasonable and proper relationship between existing streets and the road/circulation system existing on the site. Access from Cherry Avenue and Torch River Road has existed since 2001 and have not presented any issues. This Criteria has been met.*

- B. The buildings, structures and entryway thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects there from upon owners and occupants of adjacent properties and the neighborhood.

*Staff Finding.* The existing building and entry to the site appears to be harmoniously arranged as it has existed since 2001 without issue. The existing and proposed use are allowed with special use approval in the Village district.

- C. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.

*Staff Finding.* No substantial natural features exist on the site currently and none, therefore, are proposed be removed.

- D. That the adverse effects of the proposed development and activities emanating there from upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.

*Staff Finding.* No additional landscaping or vegetative features are proposed on the site. According to 2025 imagery there are existing mature trees along the south and west sides of the property. The applicant owns the property to the north and Go Outdoors Torch River, LLC a commercial business with outdoor storage of boats is located to the east. The Planning Commission may consider whether requesting additional screening or landscaping elements on site would be appropriate.

- E. That all provisions of the Township Zoning Ordinance are complied with unless the Zoning Board of Appeals has granted a prior variance.

*Staff Finding.* No variance is being requested or needed as part of the application.

- F. That all buildings and structures are accessible to emergency vehicles.

*Staff Finding.* The access to the existing building has not been an issue for emergency services since 2001.

## 117.1602 Special Land Use Review Standards.

- A. **General Review Standards.** The Planning Commission, before acting on a Special Land Use Application, shall employ and be guided by standards of this Chapter and the intent and purpose of this Zoning Ordinance, and the Milton Township Master Plan. The Planning Commission shall review each application and shall approve such Special Land Use only if it finds that such Special Land Use application meets each of the following standards, together with any and all Special Land Use standards reflected for the zoning district, and any and all applicable specific review standards found in this Article. The Planning Commission shall find adequate evidence that each use at its proposed location will be consistent with the public health, safety, and welfare of the Township and shall comply with the following standards:

- a. The proposed use shall be consistent with the adopted Township Master Plan.

*Staff Finding.* The Master Plan designates this area for Mixed Use Commercial. A Motel is an appropriate commercial use.

- b. The proposed use shall be designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

*Staff Finding.* The property was used as a Motel from 2001-2017 without issue. No changes are proposed to the site.

- c. The proposed use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.

*Staff Finding.* The proposed use is unlikely to be hazardous to the existing or future planned uses in the vicinity, as defined in the Master Plan and allowed with special use approval in the Zoning Ordinance.

- d. The proposed use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities and schools or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

*Staff Finding.* The site is served by a private well and on-site septic system. Access to Cherry Avenue and Torch River Road have existed since 2001. Stormwater drainage has also existed since 2001. The proposed change from an Adult Foster care home to Motel should not require any additional public facilities or services.

- e. The proposed use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

*Staff Finding.* No public costs are anticipated for the proposed change of use.

- f. The proposed use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, glare or odors.

*Staff Finding.* The proposed change of use is not anticipated to be detrimental to any person, property or general welfare from traffic, noise, vibration, smoke, fumes, glare or odors. The Motel use existed from 2001 to 2017 without issue.

- g. The proposed use shall ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.

*Staff Finding.* There are no natural resources present on the site currently and no natural resources are to be removed due to the change of use.

- h. The proposed use shall meet the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

*Staff Finding.* The proposed use meets the intent of and purpose of the current zoning ordinance. A Motel with more than 10 units is an allowed use in the Village district with special use approval.

- B. Specific Review Standards.** Certain Special Land Uses may generate objectionable off-site impacts which may be effectively mitigated with appropriate design measures. To address such impacts, in addition to the general review standards set forth in Section 117.1602, 1, of this Chapter, the Planning Commission, shall apply the applicable specific review standards set forth in this Chapter 16 for any such named Special Land Use.

*Staff Finding.* As noted above, there are no specific standards or requirements for Motels in Chapter 16.

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## Recommendation and Report Summary

Following the public hearing, the Planning Commission will need to determine if there is enough information provided to make a decision on the application. The list below summarizes one item for Planning Commission consideration:

1. **Well and Septic Approvals.** The property utilizes an existing well and on-site septic system. The Planning Commission may want condition approval on obtained an updated evaluation from the Health Department of Northwest Michigan.



*initiative*

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### *Draft Motions*

To **approve** the application by South Torch Assisted Living, LLC – Ashley Smith, pertaining to parcel 05-12-006-046-00 change of use from an Adult Foster Care Home to a Motel with 15 units, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have been met. *(other conditions or statement of facts may be inserted here).*

To **deny** the application, by South Torch Assisted Living, LLC – Ashley Smith, pertaining to parcel 05-12-006-046-00 change of use from an Adult Foster Care Home to a Motel with 15 units, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have not been met as follows: \_\_\_\_\_.

To **postpone** a decision until \_\_\_\_\_, 2026, on the application by South Torch Assisted Living, LLC – Ashley Smith, pertaining to parcel 05-12-006-046-00 change of use from an Adult Foster Care Home to a Motel with 15 units, as depicted on the plans submitted, because \_\_\_\_\_.

Staff and the applicant will be present during the February 4 meeting to answer any questions.

# MILTON TOWNSHIP

## SPECIAL USE PERMIT APPLICATION

Fee: \$500 not including escrow

P.O. Box 309, 7023 Cherry Avenue, Kewadin, MI 49648

(231) 264-6697 / fax: (231) 264-6728

[miltonzoning@gmail.com](mailto:miltonzoning@gmail.com)

Parcel #: 05-12- 006-046-00

Property Address: 12800 Cherry Avenue, Rapid City, I 49676

Waterfront: Torch Lake  GT Bay  Elk Lake  None

Zoning District: R1  A/R  R3  V  M  PDZ  E  A  Fee Paid: \$500 /Escrow? \$1000

SPECIAL USE: (describe the nature of the request)

Change in use of property from an adult foster care special use permit back to a 15 room special use permit

Lot: width: \_\_\_\_\_ depth: \_\_\_\_\_ area: 1.27 acres

### APPLICANT INFORMATION

Owner Name: South Torch Assisted Living LLC- Ashley Smith Phone: 231-340-0498

Mailing Address: 5103 N West Torch Lake Drive Kewadin MI 49648 Email: aacopela@mtu.edu

A Special Land Use is a use that may be permitted within a specified zoning district after meeting specific requirements listed in this Chapter 16. It is the purpose of this Chapter to set forth the procedures that will apply to the consideration, review and evaluation of special land uses. Due to the nature of the use, Special Land Uses require special consideration in relation to the welfare of adjacent properties and to the community as a whole.

Issuance of a Zoning Permit. A Zoning Permit shall be issued by the Zoning Administrator in accordance with Section 117.2300 upon approval of the Special Land Use by the Planning Commission. The Zoning Permit shall list all the conditions of approval stipulated by the Planning Commission. A Site Plan submitted as an attachment to a Special Land Use application may be considered and reviewed in conjunction with said Special Land Use application and shall be processed according to the procedures of Chapter 21.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent. I hereby certify that this application complies with all provisions of the Milton Township Zoning Ordinance and other applicable laws and requirements.

Applicant/Agent: Ashley Smith

Date: 12/29/2025

### OFFICE USE ONLY:

Date of Public Hearing: \_\_\_\_\_

Approved:  Denied:

Zoning Administrator: \_\_\_\_\_

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

COMMENTS:

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**RE: Special Use Permit Application- 15 Room Motel**

**A. Applicant Name:** South Torch Assisted Living LLC- Ashley Smith, sole Member  
5103 N West Torch Lake Drive  
Kewadin, MI 49648

**B. Property Description:** 12800 Cherry Avenue Rapid City, MI 49676.  
Antrim County Parcel ID#05-12-006-046-00.

COM AT THE SW COR OF SEC 6; TH N 00 DEG E 1327.99 FT ALG W SEC LINE TO THE NW COR OF THE SW 1/4 OF THE SW 1/4 OF SEC; TH S 88 DEG E 326.62 FT ALG N LINE OF GOV LOT 4; TH S 00 DEG W 17.67 FT TO A PT ON THE SLY R/W OF CHERRY AVE FOR POB; TH N 57 DEG E 83.82 FT ALG R/W TO THE NW COR OF LOT 46 OF THE PLAT OF NEW HIGHLANDS; TH S 32 DEG E 41.40 FT ALG PLAT LINE TO THE SW COR OF PLAT; TH S 88 DEG E 189.62 FT TO A PT ON WLY R/W OF TORCH RIVER RD; TH ALG R/W 198.54 FT ALG THE ARC OF A 666.93 FT RAD CURVE TO LEFT; CHORD BEARS S 02 DEG W 197.80 FT; TH N 88 DEG W 277.33 FT; TH N 00 DEG E 182.33 FT TO POB; BEING PART OF GOV LOT 4 & THE SW 1/4 SEC 6 T28N R8W 1.27 A M/L

**C. Parcel Are:** 1.27 Acres

**D. Present Zoning:** Village

**E. Convert South Torch Assisted Living, currently under a special use permit for an adult foster care home, into a 15-room motel as it was prior from 2001 to 2017.**

**F. Converting adult foster care home back into a 15-room motel will not pose any additional impact on traffic, emergency services, schools or existing utilities as site was previously used as and originally built as a motel prior to 2017 with no issues.**

**RE: 15 Room Motel Special Use Permit Application for Site Plan Review**

**117.2103 A.**

1. **Applicants Name:** Ashley Smith  
South Torch Assisted Living LLC  
5103 N West Torch Lake Drive  
Kewadin, MI 49648
2. **Proof of Ownership:** See Attached Deed
3. **Signed Statement:** See Attached
4. **Owner Statement:** N/A, owner is applicant
5. **Parcel Information:** 12800 Cherry Avenue  
Rapid City, MI 49676  
Parcel #05-12-006-046-00
6. Developer names the same as applicants in #1.
7. **Architect/Designer Name:** N/A, existing 15 room building
8. 15 Room Motel- South Torch Assisted Living LLC
9. Change in use from an adult foster care back to 15 room motel as previously was operated as from 2001-2017. Existing building to be used, no construction.
10. **Vicinity Map:** Refer to Site Plan
11. **Gross and Net Acreage:** Refer to Site Plan
12. **Current Land use/classification:** Village classification. Current land use as adult foster care.
13. Existing building. No construction will take place.
14. **A.** Change in use will not pose any additional impact on traffic, emergency services, schools or existing utilities as site is was already utilized as a motel/resort with 15 bedrooms from 2001-2017 and most recently as an adult foster care facility with residents, visitors and staff traffic.  
**14 B. Completed Site Plan:** Refer to Site Plan

**RE: 15- Room Motel Special Use Permit Application**

**Property Location:** 12800 Cherry Avenue Rapid City, MI 49676  
Antrim County Parcel ID#15-12-006-046-00

**Current Owner Information:** South Torch Assisted Living LLC  
Ashley Smith  
5103 N West Torch Lake Drive  
Kewadin, MI 49648

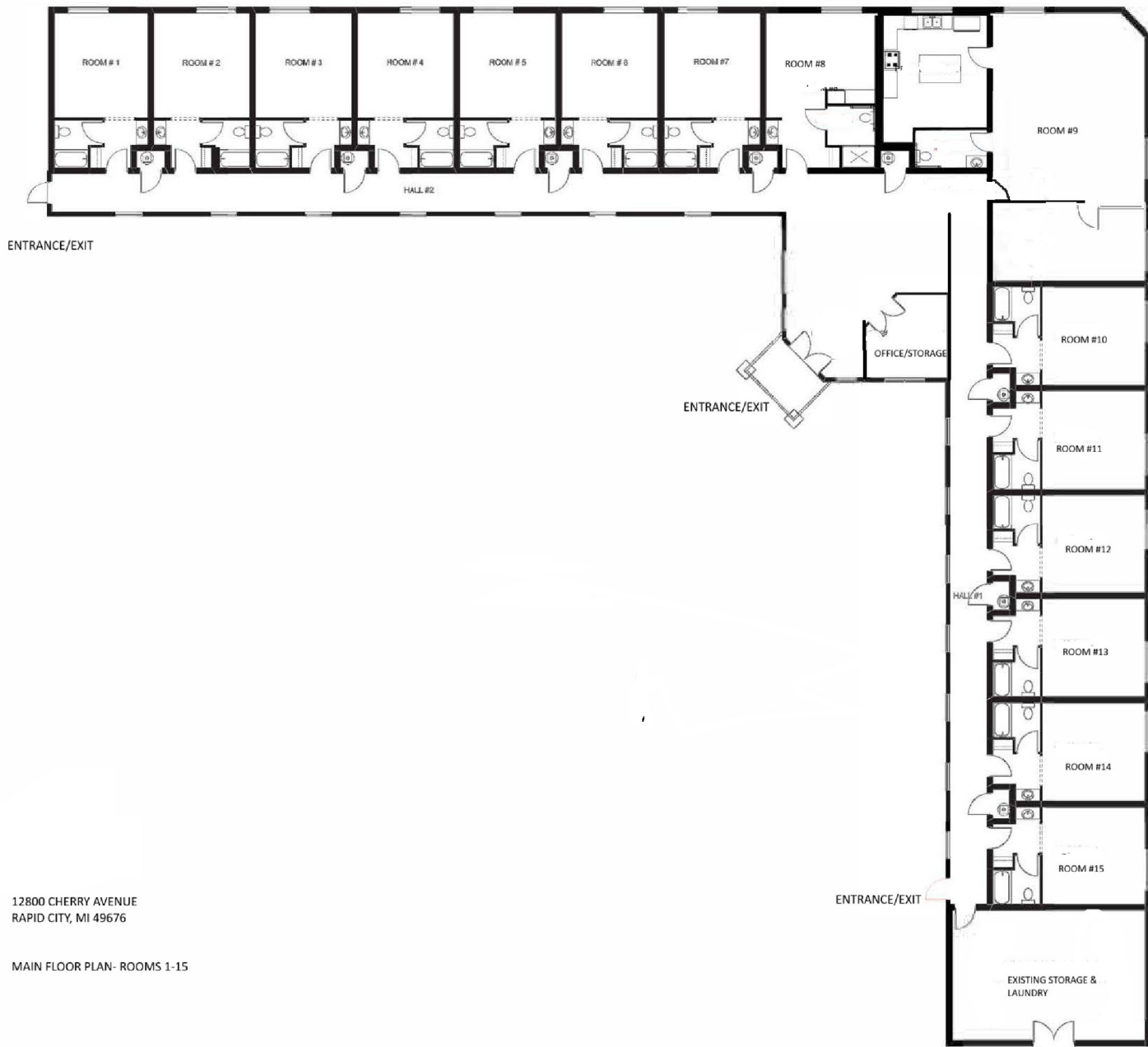
I, Ashley Smith, current owner of the property and sole member of South Torch Assisted Living LLC, authorize reasonable entry onto the property by the Zoning Administrator, Planning Commission and other Township representatives for the purpose of administering their responsibilities under this ordinance.



\_\_\_\_\_  
**Ashley Smith, owner/member of  
South Torch Assisted Living LLC**

12/29/2025

**Date**



ENTRANCE/EXIT

ENTRANCE/EXIT

ENTRANCE/EXIT

12800 CHERRY AVENUE  
RAPID CITY, MI 49676

MAIN FLOOR PLAN- ROOMS 1-15

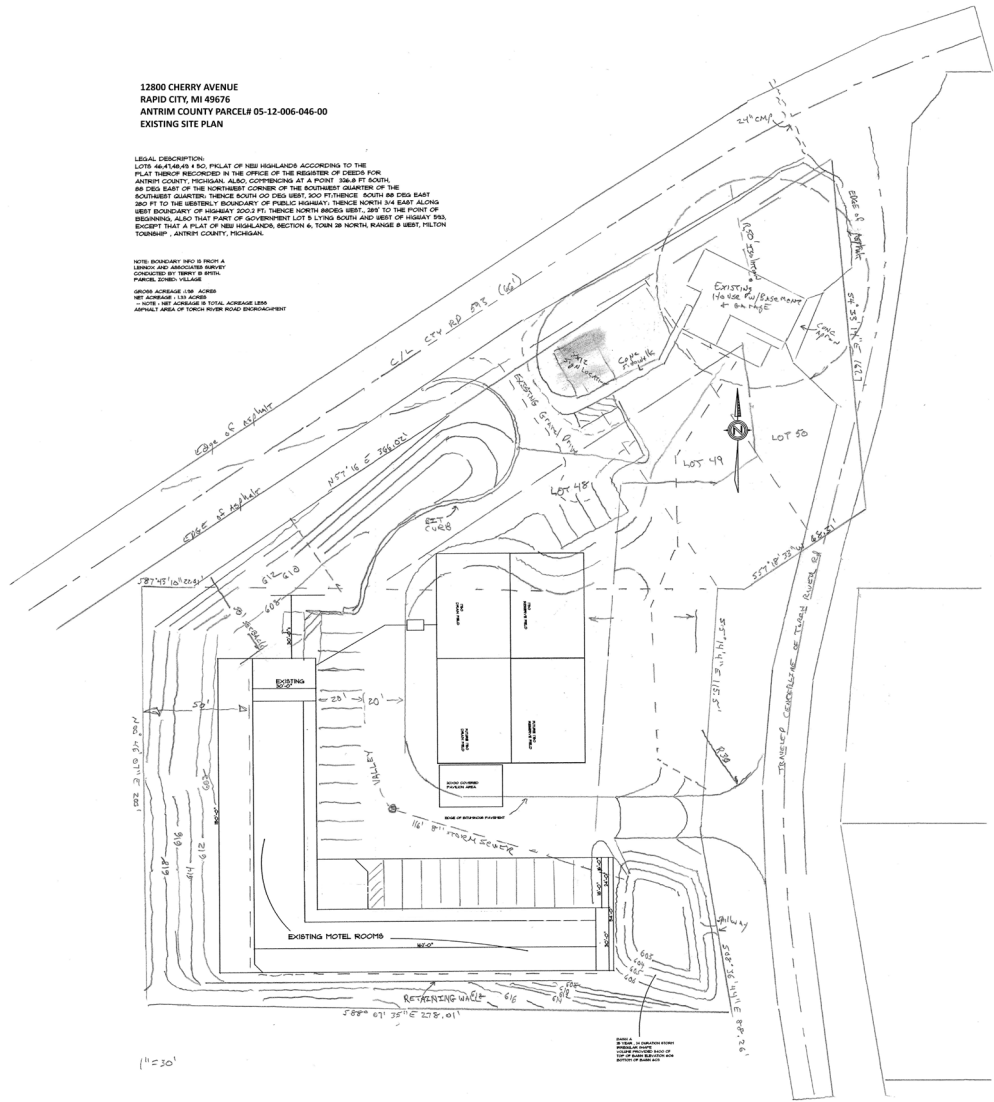
12800 CHERRY AVENUE  
 RAPID CITY, MI 49676  
 ANTRIM COUNTY PARCEL# 05-12-006-046-00  
 EXISTING SITE PLAN

LEGAL DESCRIPTION:  
 LOT# 49-50, PLAT OF NEW HIGHLANDS ACCORDING TO THE  
 PLAT THEREOF RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR  
 ANTRIM COUNTY, MICHIGAN, ALSO, COMMENCING AT A POINT 158.8 FT SOUTH  
 86 DEGS EAST OF THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE  
 SOUTHWEST QUARTER, THENCE SOUTH 00 DEGS WEST, 200 FT, THENCE SOUTH 88 DEGS EAST  
 300 FT TO THE WESTLINE BOUNDARY OF PUBLIC HIGHWAY, THENCE NORTH 84 DEGS ALONG  
 WEST BOUNDARY OF HIGHWAY 300.3 FT, THENCE NORTH 88 DEGS WEST, 287 FT TO THE POINT OF  
 BEGINNING, ALSO THAT PART OF GOVERNMENT LOT 8 LYING SOUTH AND WEST OF HIGHWAY 80,  
 EXCEPT THAT A PLAT OF NEW HIGHLANDS, SECTION 6, TOWN 28 NORTH, RANGE 8 WEST, MILTON  
 TOWNSHIP, ANTRIM COUNTY, MICHIGAN.

NOTE: BOUNDARY HERE IS FROM A  
 LITERAL AND ANALYTICAL SURVEY  
 CONDUCTED BY TERRY W. SPYER,  
 PARCEL ZONING VILLAGE

GRADE ADJUSTMENT: 1/4" ACROSS  
 1/4" ACROSS 1/4" ACROSS

NOTE: THIS ADJUSTMENT IS TOTAL ADJUSTMENT ONLY  
 APPROXIMATE AREA OF TOTAL ADJUSTMENT ROAD ENCROACHMENT



1" = 30'

THIS PLAN IS A PRELIMINARY PLAN  
 AND IS NOT TO BE USED FOR CONSTRUCTION  
 WITHOUT THE APPROVAL OF THE REGISTER OF DEEDS  
 AND THE ANTRIM COUNTY ENGINEER



**CERTIFICATION** 1-24-18 *Sc*  
I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date to this instrument. This does not include taxes in the process of collection.

Sherry A. Comben, Antrim County Treasurer

**WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS THAT: SOUTH TORCH RESORT, LLC whose address is 5103 N West Torch Lake Drive, Kewadin, MI 49648

CONVEY(S) AND WARRANT(S) TO: SOUTH TORCH ASSISTED LIVING LLC, whose address is 6240 Bracket Rd., Williamsburg, MI 49690

The following described premises situated in the TOWNSHIP OF MILTON, COUNTY OF ANTRIM, STATE OF MICHIGAN, to wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Subject to easements, restrictions and reservations of record, if any.

For the full consideration of FIVE HUNDRED THOUSAND AND 00/100 DOLLARS (\$500,000.00)

Dated this 19 day of JANUARY 2018

Signed and Sealed:

*Christian J. Copeland*

SOUTH TORCH RESORT, LLC  
By: Christian J. Copeland, Member

*Laurie Copeland*

SOUTH TORCH RESORT, LLC  
By: Laurie Copeland, Member

STATE OF MICHIGAN  
COUNTY OF ANTRIM

The foregoing instrument was acknowledged before me this 19 day of JANUARY 2018 By SOUTH TORCH RESORT, LLC, By: Christian J. Copeland, Member and Laurie Copeland, Member

BRETT C. BALDWIN  
Notary Public, State of Michigan  
County of Antrim  
My Commission Expires Apr. 03, 2020  
Acting in the County of ANTRIM

*Brett C. Baldwin*  
Notary Public

Drafted by VICKI P. KUNDINGER, ATTY., PO Box 784, Elk Rapids, MI 49629  
Recording Fee \$35.00 When recorded return to Grantees  
Transfer Tax \$4,300.00 Send subsequent tax bills to Grantees  
Tax Parcel # 05-12-700-033-00 & 05-12-006-046-00

20702

Received ANTRIM, MI  
1/24/2018 11:41 AM

EXHIBIT "A"

TOWNSHIP OF MILTON, COUNTY OF ANTRIM, STATE OF MICHIGAN

Lots 46, 47, 48, 49 and 50, NEW HIGHLANDS, according to the plat thereof as recorded in Liber 1 of Plats, Page 167.

AND

Commencing at a point 326.8 feet South 88° East of the Northwest corner of the Southwest ¼ of the Southwest ¼ of Section 6, Town 28 North, Range 8 West; thence South 00° West, 200 feet; thence South 88° East, 280 feet to the westerly boundary of public highway; thence North ¾° East along west boundary of highway 200.2 feet; thence North 88° West, 289 feet to the Point of Beginning. Also that part of Government Lot 5 lying south and west of County Highway 593, EXCEPT the plat of New Highlands; all in Section 6, Town 28 North, Range 8 West:

Described by survey as:

Parcel A

That part of Government Lot 4 and 5 in the Southwest ¼ of Section 6, Town 28 North, Range 8 West, described as: Commencing at the Southwest corner of said Section 6; thence North 00°48'34" East along the West line of said Section 1327.99 feet to the Northwest corner of the Southwest ¼ of the Southwest ¼ of said Section; thence South 88°04'18" East along the North line of said Government Lot 4, as monumented, 326.62 feet; thence South 00°48'34" West, 17.67 feet to a point on the southerly right-of-way of Cherry Avenue for the Point of Beginning; thence North 57°22'55" East along said right-of-way 83.82 feet to the Northwest corner of Lot 46, as monumented, of the Plat of NEW HIGHLANDS as recorded in Liber 1 of Plats, Page 167; thence South 32°37'05" East along said plat line 41.40 feet to the Southwest corner of said plat as monumented; thence South 88°39'52" East along the south line of said plat, as monumented, 189.62 feet to a point on the westerly right-of-way of relocated Torch River Road, as monumented; thence along said right-of-way 198.54 feet along the arc of a 666.93 foot radius curve to the left whose long chord bears South 02°17'13" West, 197.80 feet; thence North 88°02'53" West, 277.33 feet; thence North 00°48'34" East, 182.33 feet to the Point of Beginning.

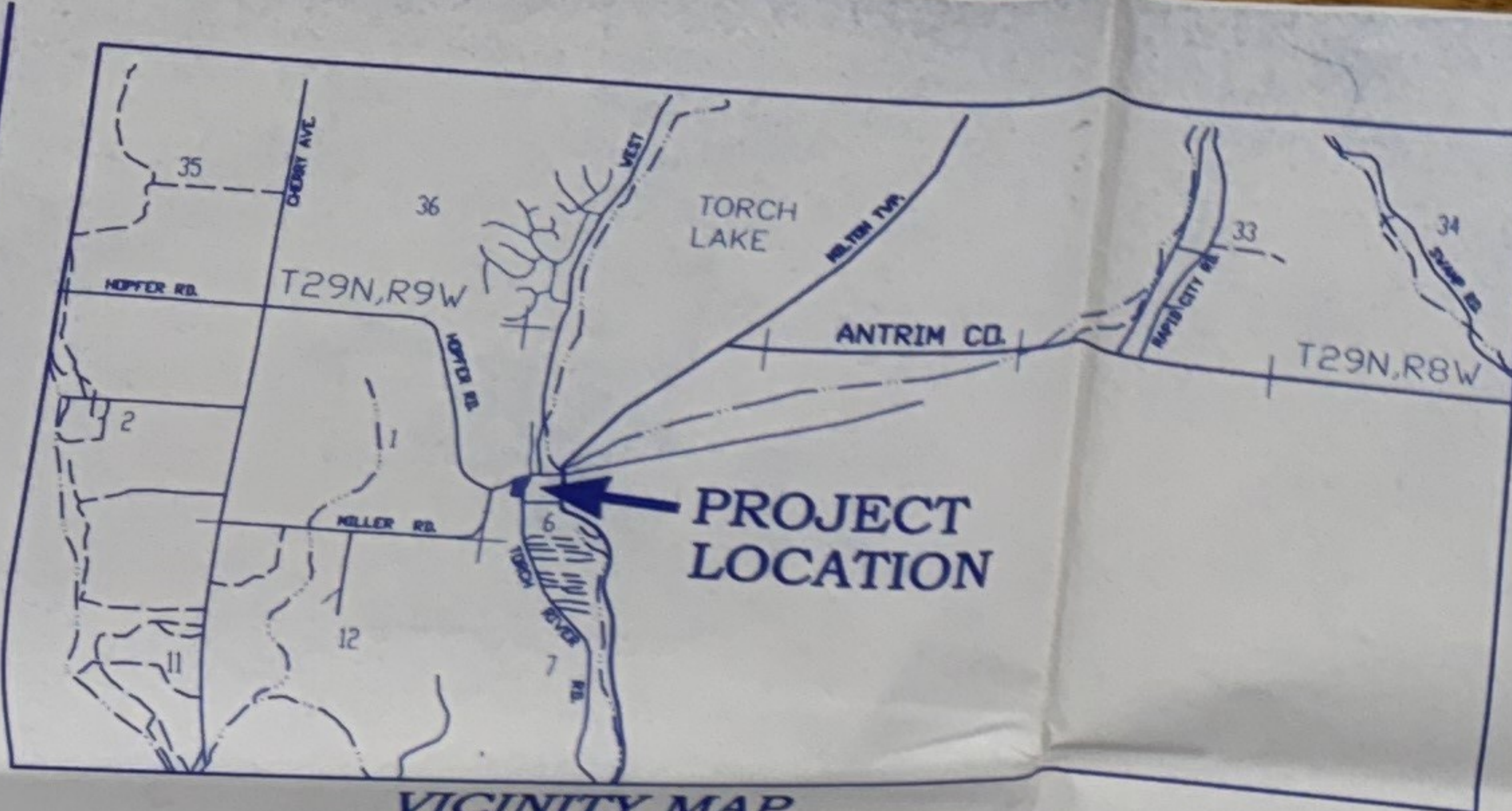
AND

Parcel B

That part of Lots 46 through 50 of the Plat of NEW HIGHLANDS as recorded in Liber 1 of Plats, Page 167, located in Government Lot 5 in the Southwest ¼ of Section 6, Town 28 North, Range 8 West, described as: Commencing at the Southwest corner of said Section 6, Town 28 North, Range 8 West; thence North 00°48'34" East along the West line of said Section 1327.99 feet to the Northwest corner of the Southwest ¼ of the Southwest ¼ of said Section; thence South 88°04'18" East along the South line of said Government Lot 5, as monumented, 326.62 feet; thence South 00°48'34" West, 17.67 feet to a point on the southerly right-of-way of Cherry Avenue; thence North 57°22'55" East along said right-of-way 83.82 feet to the Northwest corner of Lot 46, as monumented, of the Plat of NEW HIGHLANDS as recorded in Liber 1 of Plats, Page 167, for the Point of Beginning; thence South 32°37'05" East along said plat line 41.40 feet to the Southwest corner of said plat, as monumented; thence South 88°39'52" East along the south line of said plat, as monumented 189.62 feet to a point on the westerly right-of-way of relocated Torch River Road, as monumented; thence along said right-of-way 68.16 feet along the arc of a 666.93 foot radius curve to the right whose long chord bears North 13°44'34" East, 66.13 feet; thence North 16°40'13" East along said right-of-way, as monumented, 116.93 feet to a point on the easterly line of Lot 50 of said plat; thence North 04°37'11" West along said right-of-way and said plat line 27.21 feet to the Northeast corner of Lot 50 of said plat; thence South 57°22'55" West along the southerly right-of-way of Cherry Avenue and northerly line of said Lots 46 through 50 of said plat 391.82 feet to the Point of Beginning.

This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors and other associated conditions may be used and are protected by the Michigan right to farm act.

Grantor grants to the Grantee the right to make all permissible divisions under Section 108 of the Land Division Act #288 of the Public Acts of 1967.



DESCRIPTION AS FURNISHED:  
 Lots 46, 47, 48, 49 and 50, plot of New Highlands, according to the plat thereof recorded in the office of the Register of Deeds for Antrim County, Michigan. ALSO: Commencing at a point 526.8 feet South 88° East of the Northwest corner of the Southwest quarter of the public highway; thence North 3/4° East along west boundary of highway 200.2 feet; thence North 88° West, 289 feet to the Point of Beginning, ALSO that part of Government Lot 5 lying south and west of highway 593, EXCEPT that plot of New Highlands, Section 6, Town 28 North, Range 8 West, Milton Township, Antrim County, Michigan.

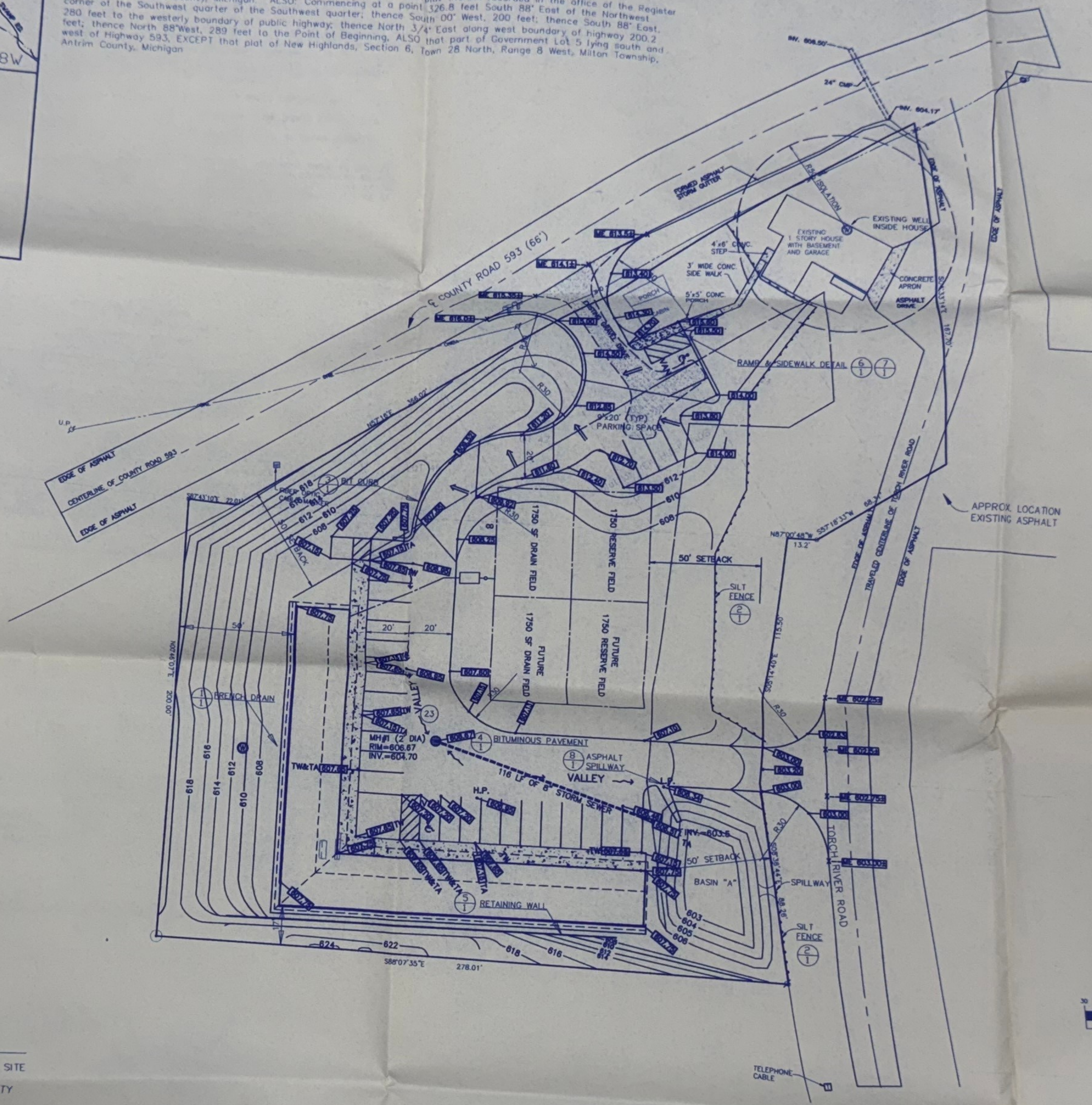
BEARING BASIS: Survey by LENNOX AND ASSOCIATES of Beloit, WI  
 survey job number 99078, dated: May 19, 1999

S 87°43'10" E 326.80'

NOTE:  
 BOUNDARY INFORMATION IS FROM A  
 LENNOX AND ASSOCIATES SURVEY  
 CONDUCTED BY: TERRY B. SMITH PS No. 25873  
 FOR: Mr. JOHN PEAL  
 13865 MOUNTAIN ROAD  
 RAPID CITY, MI 49676  
 PHONE: 231-322-2395  
 PARCEL ZONED: VILLAGE  
 GROSS ACREAGE: 1.98 ACRES  
 NET ACREAGE: 1.33 ACRES (NOTE: Net acreage is total acreage less  
 asphalt area of Torch River Road encroachment)  
 -PROJECTED TO BE DEVELOPED IN ONE PHASE  
 -PROJECT SCHEDULED TO BE COMPLETED BY 10/31/99

SOIL EROSION CONTROL MEASURES  
 -SILT FENCE SHALL BE INSTALLED PRIOR TO ANY EARTH DISTURBANCE PER THE SITE PLAN  
 -SILT FENCE SHALL BE INSPECTED ON A DAILY BASIS BY CONTRACTOR. INTEGRITY OF SILT FENCE SHALL BE MAINTAINED AT ALL TIMES UNTIL PERMANENT SOIL EROSION CONTROL MEASURES ARE IN PLACE.  
 -ALL DISTURBED AREAS SHALL BE TOP SOILED, SEEDED, FERTILIZED AND MULCHED.  
 -ONCE PERMANENT SOIL EROSION CONTROL MEASURES HAVE BEEN ESTABLISHED SILT FENCE MAY BE REMOVED.

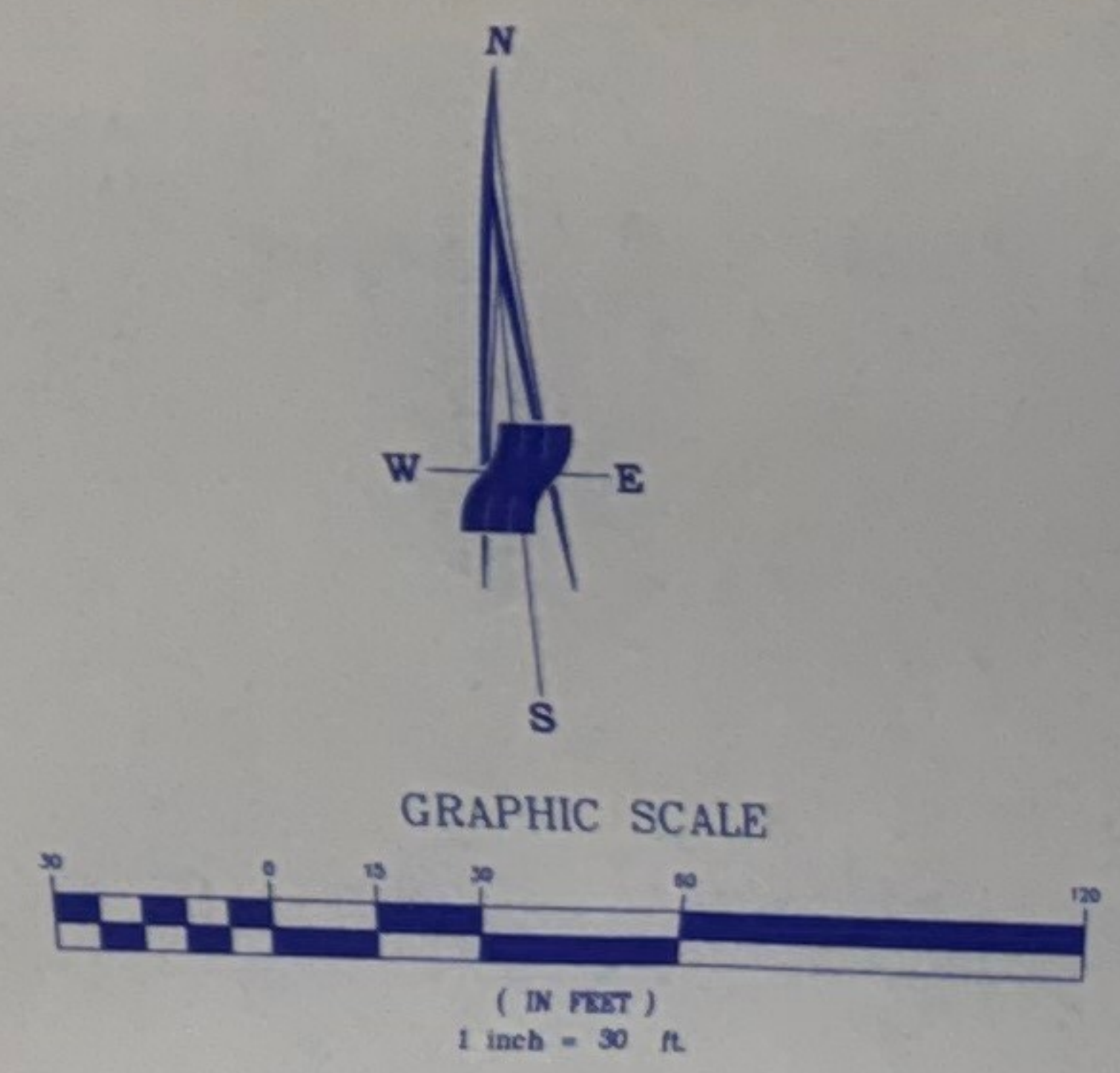
N 00°46'07" E 1328.28'  
 W LINE SEC 6



Pearen & Case  
 Associates, Inc.  
 SUBMITTING ENGINEERING  
 CIVIL ENGINEERING  
 SERVICES  
 2295 W-113 East  
 Spring, WI 49988  
 Phone: (616) 282-4133  
 Fax: (616) 282-4133  
 Lic. No. 98118  
 Exp. 01/31/99

Wells / Mansfield, Inc.  
 Engineering and Land Use Consultants  
 5160 Cass Road - Traverse City, Michigan • 49984  
 Ph: (231) 946-9310 Fax: (231) 946-9310  
 E-mail: wellsmanfield@mindspring.com

STORM DRAINAGE CALCULATIONS  
 BASIN - "A"  
 25 YEAR, 24 DURATION STORM  
 $V = (C - C_0) \times (A_0 - A) \times (S)$   
 $V = (0.7 - 0.05) \times (49 - 0) \times (0.0001)$   
 TOTAL HARD SURFACE RUN-OFF FROM  
 ROOF AND BITUMINOUS PAVEMENT = 49 ACRES  
 (HARD SURFACE CALCULATED BY AUTOCAD)  
 $V = (0.7 - 0.05) \times (49) \times (0.0001) = 5334 \text{ cf}$   
 VOLUME REQUIRED = 5334 CF  
 VOLUME PROVIDED = 5400 CF  
 BASIN SIDE SLOPES 1 ON 4  
 TOP OF BASIN ELEVATION = 606  
 BOTTOM OF BASIN ELEVATION = 603  
 SPILLWAY ELEVATION = 606  
 FRENCH DRAIN  
 25 YEAR, 24 DURATION STORM  
 $V = (C - C_0) \times (A_0 - A) \times (S)$   
 $V = (0.7 - 0.05) \times (10) \times (0.0001) = 1089 \text{ cf}$   
 VOLUME REQUIRED = 1089 CF  
 VOLUME PROVIDED = 2176 CF  
 (TAKE INTO ACCOUNT 50% REDUCTION FOR STONES)  
 TOTAL LENGTH ON ROOF LINE = 315'  
 VOLUME PROVIDED = 2362 CF  
 SEE DETAIL FOR DIMENSIONS



LEGEND

CHAL	OVER HEAD UTILITY LINE
0 Fd. box	DECIDUOUS TREE
	TELEPHONE PEDISTAL
	UTILITY POLE
	GUY ANCHOR
BOW	BOTTOM OF WALL ELEVATION
TOW	TOP OF WALL ELEVATION

# JOHN PEAL, SITE LAYOUT

## MILTON TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN

JOHN PEAL  
 PROPOSED MOTEL  
 PRELIMINARY SITE PLAN  
 SECTION 6, TOWN 28 NORTH, RANGE 8 WEST  
 MILTON TOWNSHIP, ANTRIM COUNTY, MICHIGAN

DATE	BY	REVISION
8/9/99	MEM/CAW	
ISSUED FOR:	DATE:	
30% Render		
40% Render		
60% Render		
80% Render		
Final		
99C06		
SHT 1 OF 2		



Date: 01.28.2026  
From: Jenn Cram, AICP  
To: Milton Township Planning Commission

**Project:** Special Use Permit - 2026-03 Scott S. Hendrickson, 5388 Powell Road, Kewadin, MI 49648, parcel # 05-12-536-003-00

i  
initiative

**Request:** The applicant/owner would like to operate a Bed and Breakfast utilizing one bedroom for rent in the existing home for up to two guests. The owner will be present at all times during rentals.

**Property Address:**

5388 Powell Road, Kewadin, MI 49648

**Parcel Number:**

05-12-536-003-00

**Zoning:** A- Agricultural

**Master Plan Future Land Use Designation:** A-  
Agricultural

**Lot Area:** 2 acres

**Setbacks:** Existing

**Building Height:** Existing  
(Less than 3 stories & 40 feet)

**Water:** Existing Well

**Sewage Disposal:** Existing On-site Septic System

**Parking:** 2 spaces



Beckett & Raeder, Inc.  
535 West William  
Suite 101  
Ann Arbor, MI 48103

734.663.2622 ph  
734.663.6759 fx

www.bria2.com

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

Traverse City Office  
148 East Front Street  
Suite 207  
Traverse City, MI 49684

231.933.8400 ph  
231.944.1709 fx

Grand Rapids Office  
5211 Cascade Road SE  
Suite 300  
Grand Rapids, MI 49546

616.585.1295 ph

## 117.1002 – Agricultural Special Land Uses

A Bed and Breakfast is a use permitted in the Agricultural district with special use approval.

## 117.1604 – Bed and Breakfast

In addition to the standards of Section 117.1602, A, the Planning Commission shall find that a proposed Bed and Breakfast shall meet the following specific Special Land Use standards.

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initiative

- A. Basic Standards. It is the intent to establish reasonable standards for Bed and Breakfast Establishments to assure that:
  1. The property is suitable for transient lodging facilities. *The property is suitable for transient lodging based on the existing floorplan and the existing home not being located in close proximity to other residences.*
  2. The proposed use shall be compatible with other allowed uses in the vicinity. *A bed and breakfast is an allowed use in the Agricultural district with Special Use approval.*
  3. Lands in these districts shall not be subject to increased trespass. *There are existing fences in place on the property to prevent trespass.*
  4. The impact of the establishment shall be no greater than that of a private home with house guests. *The owner will be present at all times and only one room will be rented with no more than two guests at a time.*
  5. A bed and breakfast shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor. *The property owner will maintain a smoke detector in the sleeping room that will be rented. A proposed condition of approval has been included.*
  6. Landscaping and Buffering shall be provided in accordance with Section 117.311 of this Zoning Ordinance. *There are existing fences and mature trees on the property. There are no residences directly adjacent to the proposed Bed and Breakfast use.*
- B. Specific Standards. The following requirements together with any other applicable requirements of this Ordinance shall be complied with:
  1. The minimum lot size shall be one (1) acre except in the Village zoning district where the minimum lot area shall be consistent with the District minimum for Single Family Dwellings. *The subject property is 2 acres. The Agricultural district*

*allows single-family dwellings as a use by right and a Bed and Breakfast with special use approval.*

2. Not less than one (1) parking space per rental sleeping room shall be provided plus one (1) per owner occupant. Parking areas shall be screened from view from all off-site locations. *The property has two dedicated spaces for the one room being rented.*
3. One (1) non-illuminated sign identifying the establishment not to exceed four (4) square feet in area located not closer, than ten (10) feet from the right-of-way shall be allowed. *No signage is proposed at this time. All signage must comply with Chapter 17 and a permit is required.*
4. The establishment shall have at least two (2) door exits to the outdoors. *The existing residence has at least 2 door exits to the outdoors.*
5. The establishment shall be limited to no more than three (3) guest rooms and be the principal dwelling unit on the property and shall be owner-occupied at all times. *Only one guest room is proposed for rental.*
6. The on-site wastewater treatment system shall be approved by the Health Department for the proposed use and occupancy. *A letter from the Health Department has been included.*
7. Guest stays shall not exceed seven (7) nights. *The property owner has agreed to not allow guests to stay more than seven nights. A condition of approval has been included.*
8. The rooms utilized for sleeping shall be a part of the primary residential use and not specifically constructed for rental purposes. *The proposed rental room is part of the primary residence. A floor plan has been provided.*
9. The guest rooms shall have a minimum floor area of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room. *The guest room proposed for rent to up to two guests exceeds 100 square feet.*
10. Special land use approval shall not be granted if the essential character of the lot, or structure, or neighborhood in terms of traffic generation, or appearance, or activity will be changed substantially. *The essential character of the lot, structure and area will not change as a result of the proposed Bed and Breakfast use.*
11. The site plan shall incorporate a floor plan layout of the proposed structure drawn to a scale of not less than 1" = 16' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance. *A floor plan has been provided.*

## Site Plan Review

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**117.2103 Application Procedure for Site Plan Review.** Requests for site plan approval shall be made by filing with the Township Zoning Administrator a complete application containing all information required in this Ordinance.

A. At a minimum, the application shall include the following information:

1. The applicant's full name, address and phone number including area code.  
**Provided.**
2. Proof of property ownership, and whether there are any options on the property, or liens against it.  
**Provided.**
3. A signed statement that the applicant is the owner of the property or officially acting on the owner's behalf and authorizing reasonable entry onto the property by the Zoning Administrator, Planning Commission and other Township representatives for the purpose of administering their responsibilities under this ordinance.  
**Provided**
4. The name and address of the owner(s) of record if the applicant is not the owner of record (or firm or corporation having a legal or equitable interest in the land), and the signature of the owner(s).  
**Not Applicable.** The applicant is the owner of record.
5. The address and parcel (Tax Roll) number of each parcel contained in the proposed site plan.  
**Provided.**
6. The name and address of the developer (if different from applicant).  
**Not Applicable.**
7. Name and address of the licensed professional engineer; architect; landscape architect; surveyor or planner who prepared the plan.  
**Not Applicable.**
8. Project title.  
**Provided.**



*initiative*

9. An overall project description.

**Provided.**

10. A vicinity map drawn at 1" = 2,000' with north point indicated.

**Provided.** Aerial of property included in staff report.

11. The gross and net acreage of all parcels in the project.

**Provided.** The property contains 2 acres.

12. Current land use, zoning classification and existing structures on the subject parcel and adjoining parcels.

**Provided.** Current approved use = Single-family Dwelling. Proposed use = Bed and Breakfast with one rental room for up to two guests.

13. Project development phases and completion schedule.

**Provided.** Building and parking exist, no construction proposed.

14. A written statement relative to project impacts on existing infrastructure (including traffic capacity of street, schools and existing utilities) and on the natural environment of the site and adjoining lands and as it is related to the Milton Township Zoning Ordinance. Detailed requirements will vary depending on the project size and impact to the Township and the Planning Commission may request additional information.

**Provided.**

15. All required permits from outside agencies such as, but not limited to, Antrim County Soil Erosion, Antrim County Road Commission, Michigan Department of Transportation, Michigan Department of Environment, Great Lakes and Energy, and Health Department of Northwest Michigan. A letter of "no concern" can be used in place of a permit if the agency cannot issue a permit until after a zoning permit.

**Provided.** The Health Department of Northwest Michigan has noted that the well and on-site septic system are adequate for up to 3 bedrooms.

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## 117.1602 Special Land Use Review Standards.

- A. **General Review Standards.** The Planning Commission, before acting on a Special Land Use Application, shall employ and be guided by standards of this Chapter and the intent and purpose of this Zoning Ordinance, and the Milton Township Master Plan. The Planning Commission shall review each application and shall approve such Special Land Use only if it finds that such Special Land Use application meets each of the following standards, together with any and all Special Land Use standards reflected for the zoning district, and any and all applicable specific review standards found in this Article. The Planning Commission shall find adequate evidence that each use at its proposed location will be consistent with the public health, safety, and welfare of the Township and shall comply with the following standards:

- a. The proposed use shall be consistent with the adopted Township Master Plan.

*Staff Finding.* The Master Plan designates this area for Agricultural uses. A Bed and Breakfast is an allowed use in the Agricultural district with special use approval.

- b. The proposed use shall be designed, constructed, operated and maintained to be consistent with the existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

*Staff Finding.* The property contains an existing single-family dwelling. No changes are proposed to the site. The Bed and Breakfast utilizing one bedroom for up to two guests will not change the character of the area in the general vicinity.

- c. The proposed use shall not be hazardous or disturbing to existing or future uses in the same general vicinity and in the community as a whole.

*Staff Finding.* The proposed use is unlikely to be hazardous to the existing or future planned uses in the vicinity, as defined in the Master Plan and allowed with special use approval in the Zoning Ordinance.

- d. The proposed use shall be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, stormwater drainage, refuse disposal, water and sewage facilities and schools or persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for such services.

*Staff Finding.* The site is served by a private well and on-site septic system. Access

to Powell Road exists. Stormwater drainage will not change. The proposed Bed and Breakfast should not require any additional public facilities or services.

- e. The proposed use shall not create excessive additional requirements at public cost for facilities and services and will not be detrimental to the economic welfare of the community.

**Staff Finding.** *No public costs are anticipated for the proposed Bed and Breakfast use.*

- f. The proposed use shall not involve uses, activities, processes, materials and equipment or conditions of operation that will be detrimental to any person, property or general welfare by reason of excessive production of traffic, noise, vibration, smoke, fumes, glare or odors.

**Staff Finding.** *The proposed Bed and Breakfast is not anticipated to be detrimental to any person, property or general welfare from traffic, noise, vibration, smoke, fumes, glare or odors.*

- g. The proposed use shall ensure that the environment shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and by topographic modifications that result in maximum harmony with adjacent areas.

**Staff Finding.** *There are no natural resources present on the site currently and no natural resources are to be removed due to the Bed and Breakfast use.*

- h. The proposed use shall meet the intent and purpose of the Zoning Ordinance; be related to the standards established in the Ordinance for the land use or activity under consideration; and will be in compliance with these standards.

**Staff Finding.** *The proposed use meets the intent of and purpose of the current zoning ordinance. A Bed and Breakfast is an allowed use in the Agricultural district with special use approval.*

## Recommendation and Report Summary

Following the public hearing, the Planning Commission will need to determine if there is enough information provided to make a decision on the application. Staff has proposed two conditions of approval for Planning Commission consideration:

1. The property owner shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher on every floor at all times that the Bed and Breakfast is in operation.

2. The property owner will not allow guests to stay more than seven nights.

**Draft Motions**

To **approve** the application by Scott Hendrickson, pertaining to parcel 05-12-536-003-00 for a Bed and Breakfast with one room for rent to up to two guests, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have been met. *(other conditions or statement of facts may be inserted here).*

*i*  
*initiative*

To **deny** the application, by Scott Hendrickson, pertaining to parcel 05-12-536-003-00 for a Bed and Breakfast with one room for rent to up to two guests, as depicted on the plans submitted, because the applicable standards of the Milton Township Zoning Ordinance have not been met as follows: \_\_\_\_\_.

To **postpone** a decision until \_\_\_\_\_, 2026, on the application by Scott Hendrickson, pertaining to parcel 05-12-536-003-00 for a Bed and Breakfast with one room for rent to up to two guests, as depicted on the plans submitted, because \_\_\_\_\_.

Staff and the applicant will be present during the February 4 meeting to answer any questions.

# MILTON TOWNSHIP

## SPECIAL USE PERMIT APPLICATION

Fee: \$500 + \$1,000 Escrow

P.O. Box 309, 7023 Cherry Avenue, Kewadin, MI 49648

(231) 264-6697 / fax: (231) 264-6728

zoning@miltontownshipmi.gov

SUP 2026-03  
Hendrickson  
B+B



Parcel #: 05-12- 536-003-00

Property Address: 5388 POWELL ROAD KEWADIN MI MI

Waterfront: Torch Lake  GT Bay  Elk Lake  None

Zoning District: R1  A/R  R3  V  M  PDZ  E  A

Fee Paid: \$500 / Escrow? \$500

OL# 2118  
PL 19.25

see email  
1.9.26 acct# 2128  
500 pd

SPECIAL USE: (describe the nature of the request)

TO USE ONE BEDROOM OF MY HOUSE TO OPERATE A  
BED + BREAKFAST RENTAL. NO MORE THAN 2 PEOPLE  
FOR THAT RENTAL

Lot: width: \_\_\_\_\_ depth: \_\_\_\_\_ area: 2 ACRES

### APPLICANT INFORMATION

Owner Name: SCOTT HENDRICKSON

Phone: 231-883-6411

Mailing Address: 5388 POWELL ROAD

Email: SCOTTYBOB@HENDRICKSON.COM

A Special Land Use is a use that may be permitted within a specified zoning district after meeting specific requirements listed in this Chapter 16. It is the purpose of this Chapter to set forth the procedures that will apply to the consideration, review and evaluation of special land uses. Due to the nature of the use, Special Land Uses require special consideration in relation to the welfare of adjacent properties and to the community as a whole.

Issuance of a Zoning Permit. A Zoning Permit shall be issued by the Zoning Administrator in accordance with Section 117.2300 upon approval of the Special Land Use by the Planning Commission. The Zoning Permit shall list all the conditions of approval stipulated by the Planning Commission. A Site Plan submitted as an attachment to a Special Land Use application may be considered and reviewed in conjunction with said Special Land Use application and shall be processed according to the procedures of Chapter 21.

I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent. I hereby certify that this application complies with all provisions of the Milton Township Zoning Ordinance and other applicable laws and requirements.

Applicant/Agent: [Signature]

Date: 12/14/25

### OFFICE USE ONLY:

Date of Public Hearing: 2.4.26

Approved:  Denied:

Zoning Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

### COMMENTS:

SHALL MAINTAIN A SMOKE DETECTOR IN PROPER WORKING ORDER IN  
EVERY ROOM - FIRE EXTINGUISHER IN WORKING ORDER



Half Way to  
Charlevoix Room

Close to Torch Lake and chain of lakes

SUP 2026-03 Hendrickson

2.4.26  
PM

WE WOULD LIKE TO SECURE A ZONING PERMIT TO HAVE A BEO? BREAKFAST TO ENTERTAIN GUESTS TO ENJOY A LITTLE OF NORTHERN MICHIGAN. WE WILL ONLY BE DOING THIS IN THE SUMMER MONTHS (MAY THRU AUG). WE WILL BE ON SITE ALWAYS WHEN WE HAVE GUESTS. WE DO HAVE A NICE ONE ROOM RENTAL THAT WILL BE AVAILABLE AND THAT IS ALL WE WILL RENT IS ONE ROOM, (2 GUESTS ONLY). WE WILL COMPLY WITH WHATEVER THE PERMIT REQUIRES AND ANYTHING THE TOWNSHIP NEEDS.

POLE BARN



PASTURE FENCE



PATIO

FENCE

HOUSE DRIVEWAY



POWELL ROAD

DINNING ROOM

FAMILY ROOM

KITCHEN

HOUSE BATHROOM

RENTERS BATHROOM

DOOR

18' HALLWAY

7' 12'

RENTERS DECK

RENTERS

BEDROOM

18'

RENTERS DRIVEWAY

RENTERS PORCH



PASTURE FENCE

SUP 2026-03 HENDERICKSON  
ZONE: AG B+B  
05-12-536-003-00  
SURROUNDING ZONING: AG

2 ACRES  
AG ZONED



SUP 2026-03 HENDRICKSON B+B

5388 Powell Rd

4' LIVESTOCK  
FENCE



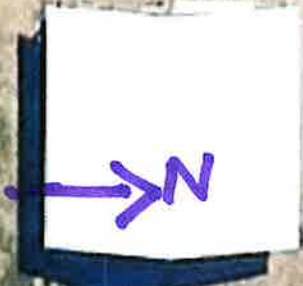
PARKING

FOR  
2 CARS

6' EXISTING  
FENCE

EXISTING  
MAPLES

05-12-536-003-00



SUP 2026-03 HENDRICKSON  
B+B  
05-12-536-003-00  
2 ACRES ZONED: AG





**SEPTIC**

The mission of the Health Department of Northwest Michigan is to serve our entire community and to achieve health equity by promoting well-being, preventing disease, and protecting the environment through partnerships, innovation, and excellence in public health practice.

June 27, 2023

**SUP 2026-03 HENDRICKSON  
B+B**

Scott Hendrickson  
5388 Powell Rd  
Kewadin, MI 49648

RE: Existing System Evaluation (A23-014) at 5388 Powell Rd, Kewadin, MI 49648  
Milton Township, Section 36, Antrim County  
Tax ID 05-12-536-003-00

Mr. Hendrickson,

On June 12, 2023 a representative of the Health Department of Northwest Michigan conducted an evaluation of the existing water and wastewater systems at the above referenced three (3) bedroom home. The inspection was conducted to satisfy the Milton Township Short Term Rental Ordinance.

During the evaluation, the water supply and wastewater systems were evaluated to determine capacity and their current operational status. The following observations were documented at the time of inspection:

1. Record of a well and septic permit is not available.
2. The 1200 gallon septic tank is located off the northwest side of the home.
3. The pump chamber is located north of the septic tank.
4. The drainfield location and dimensions are not confirmed.
  - a. The drainfield was identified as being west of the home per applicant. A borehole in this area revealed stone, however, the stone is smaller than what is traditionally installed as drainstone.
  - b. The overall dimensions of the stone could not be confirmed due to the extent of soil compaction.
5. No signs of wastewater system failure were noted on the date of inspection.
6. A borehole adjacent to the suspected drainfield area revealed loamy sand over sand soils, to a depth of 60 inches.
7. The water well is located south of the home.
  - a. The well has a cracked electrical conduit.
  - b. **This Department highly recommends taking a bacteriology water sample to check for potential contamination due to the cracked conduit.**
8. The well is adequately isolated to the septic tank at over 100 feet.



Based on the above noted observations, it is the opinion of this department that the existing wastewater system size, location, and construction is unconfirmed; however, no signs of failure were noted.

If you have any questions regarding this correspondence, feel free to contact me at 231-533-8670.

SUP 2026-03  
Hendrickson  
Bed + BFKST

# Welcome

# Rules

TO THE HALF WAY TO CHARLEVOIX ROOM  
5388 Powell Rd, Kewadin, MI 49648

---

## Your Hosts

Scott Hendrickson - 231-883-6411  
Sue Goodsell - 248-707-9207

## Check-in/out

Check In is at 4:00PM  
Self Check-In with keyless entry  
Check out is at 11:00AM  
Gather used towels & place on bathroom floor  
Turn off all lights & air conditioner  
Check all drawers for personal items  
Leave key back in the lock box

## WiFi Information

Network: Guest  
Password: Welcome1  
See frame to scan.

## House Rules

Quiet hours: 9pm to 8am Sun-Thurs &  
10pm to 8am Fri-Sat  
No fireworks, no candles  
No parties or quests  
Dogs only; must be friendly to other dogs  
Smoking & 420 friendly, outside only  
Park in designated area only

## Emergencies

In case of emergency, dial 911.

**Elk Rapids Police Department**  
321 Bridge St., Elk Rapids  
231-264-6592

Fire Extinguisher is in the cabinet under the refrigerator.

## Local Info

**Golden Hill Farms - Fresh Floral, Gifts**  
131 River Street, Elk Rapids  
231-264-6938

**Village Market - Grocery Store, Liquor**  
250 Ames St., Elk Rapids  
231-264-5729

**Pearl's New Orleans Kitchen**  
617 Ames St., Elk Rapids  
231-264-0530

**Riverwalk Grill**  
106 Ames St., Elk Rapids,  
231-264-0377

**Jac's Parlor - Breakfast, Sandwiches,  
Hamburgers**  
115 Ames St., Elk Rapids  
231-264-6880

**Short's Brewing Co. Pull Barn Tap Room,  
2 Great Food Trucks**  
211 Industrial Park Dr., Elk Rapids  
231-498-2300, ext. 3

**Cellar 152 - Bar, Food, Food To Go**  
152 River St., Elk Rapids  
231-264-9000

**Ames St Cafe**  
145 Ames St., Elk Rapids  
231-498-6005

**The Dam Shop - Bar, Food**  
118 Bridge St., Elk Rapids  
231-498-5855

**Chef Chucks - Pizza**  
147 River St., Elk Rapids  
231-264-8901



# CHAPTER 10 . AG ZONE

**117.1002 SPECIAL LAND USES.** The following land uses shall be permitted in the A district only as special land uses subject to the provisions of Chapter 16, subject to the provisions of this Ordinance.

- ◆ **Bed and Breakfast Establishment**
- ◆ Construction or Building Contractor Facility
- ◆ Essential Service Facility, Major
- ◆ Fish and Wild Game Hatcheries
- ◆ Home Occupation, Major
- ◆ Kennel, Commercial
- ◆ Outdoor storage
- ◆ Planned Residential Development
- ◆ Private air strips or private landing strips
- ◆ Private cemeteries
- ◆ Utility Grid Wind Energy Systems
- ◆ Wineries/Cideries with Tasting Room
- ◆ Wireless Communication Towers
- ◆ Veterinary Hospitals and Clinics
- ◆ Public Assembly Building, Small

## 117.1003 ADDITIONAL STANDARDS MAY APPLY

- Site plan requirements subject to Chapter 21
- Special land use standards per Chapter 16
- Parking requirements subject to Chapter 18
- Sign requirements subject to Chapter 17
- Lighting requirements subject to Section 117.314
- Landscape requirements per Section 117. 311

### **From Chapter 16 – Special Uses**

#### 117.1604 Bed and Breakfast

In addition to the standards of Section 117.1602, A, the Planning Commission shall find that a proposed Bed and Breakfast shall meet the following specific Special Land Use standards.

A. Basic Standards. It is the intent to establish reasonable standards for Bed and Breakfast Establishments to assure that:

1. The property is **suitable for transient lodging facilities.**
2. The proposed **use shall be compatible** with other allowed uses in the **vicinity.**
3. Lands in these districts shall **not be subject to increased trespass.**
4. The **impact** of the establishment shall be **no greater than that of a private home with house guests.**
5. A bed and breakfast shall maintain a **smoke detector** in proper working order in **every sleeping room** and a **fire extinguisher in proper working order on every floor.**
6. Landscaping and Buffering shall be provided in accordance with Section 117.311 of this Zoning Ordinance.

→ all surrounding parcels zoned AG

B. Specific Standards. The following requirements together with any other applicable requirements of this Ordinance shall be complied with:

PARCELS 2 ACRES

1. The minimum lot size shall be one (1) acre except in the Village zoning district where the minimum lot area shall be consistent with the District minimum for Single Family Dwellings.
2. Not less than one (1) parking space per rental sleeping room shall be provided plus one (1) per owner occupant. Parking areas shall be screened from view from all off-site locations.
3. One (1) non-illuminated sign identifying the establishment not to exceed four (4) square feet in area located not closer than ten (10) feet from the right-of-way shall be allowed.
4. The establishment shall have at least two (2) door exits to the outdoors.
5. The establishment shall be limited to no more than three (3) guest rooms and be the principal dwelling unit on the property and shall be owner-occupied at all times.
6. The on-site wastewater treatment system shall be approved by the Health Department for the proposed use and occupancy.
7. Guest stays shall not exceed seven (7) nights.
8. The rooms utilized for sleeping shall be a part of the primary residential use and not specifically constructed for rental purposes.
9. The guest rooms shall have a minimum floor area of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room.
10. Special land use approval shall not be granted if the essential character of the lot, or structure, or neighborhood in terms of traffic generation, or appearance, or activity will be changed substantially.
11. The site plan shall incorporate a floor plan layout of the proposed structure drawn to a scale of not less than 1" = 16' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance.

#### 117.1601 Special Land Use Procedures

A Special Land Use application shall be submitted and processed according to the following procedures:

A. Submission of Application An application for a special land use shall be submitted to the Zoning Administrator on a Special Land Use Permit Application form. Upon receipt of a complete application, the Zoning Administrator shall place the request on the agenda for the Planning Commission scheduled not less than thirty (30) days hence. A complete application under this Section shall be one that specifically addresses the items set forth in this Section.

A. Data Required: A Special Land Use Application shall include the following information.

1. A complete Special Land Use Application including the following information:
  - a. Name and address of applicant.
  - b. Legal description, property parcel number and street address of the subject parcel of land.
  - c. Area of the subject parcel of land stated in acres, or if less than one (1) acre, in square feet.
  - d. Present zoning classification on parcel.
  - e. Present and proposed land use. - BOTH AG
  - f. Applicant's statement of the expected effect on emergency service requirements, schools, storm water systems, automobile and truck circulation patterns, and local traffic volumes.

- g. Any additional material information necessary to consider the impact of the project upon adjacent properties, regulated wetlands, streams, lakes and the general public as may be required by the Township Zoning Administrator or the Planning Commission.
- 2. A complete Site Plan containing all the applicable data required by Chapter 21, Site Plan Review.
- 3. Supporting statements, evidence, data, information and exhibits that address the standards and requirements for evaluating Special Land Use Applications as provided in Section 117.1602. In addition, supporting statements, evidence, data, information and exhibits that address any Specific Review Standards for the particular special land uses sought, as provided in this Chapter.
- 4. Any additional information deemed necessary for the Planning Commission to determine the impact of the proposed Special Land Use on the adjacent properties, public infrastructure, and community as a whole. Such information may take the form of, but is not limited to, traffic impact analysis, environmental impact assessments, or reports and/or testimony by officials representing state, county or local departments of public safety (police and fire), health, highways or roads, and/or environment.
- e. The Zoning Administrator may, with the approval of the Planning Commission, waive the submission of materials outlined in this Section if such materials are determined to be not applicable to the application.

***From Chapter 21 Site plan review:***

**117.2105 Criteria for Review.** In reviewing the application and site plan and approving, disapproving or modifying the same, the Planning Commission shall be governed by the following standards:

- A. That there is a proper relationship between the existing streets and highways within the vicinity and proposed deceleration lanes, service drives, entrance and exit driveways and parking areas to assure the safety and convenience of pedestrian and vehicular traffic.
- B. The buildings, structures and entryway thereto proposed to be located upon the premises are so situated and designed as to minimize adverse effects there from upon owners and occupants of adjacent properties and the neighborhood.
- C. That as many natural features of the landscape shall be retained as possible where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes and where they assist in preserving the general appearance of the neighborhood or help control erosion or the discharge of storm waters.
- D. That the adverse effects of the proposed development and activities emanating there from upon adjoining residents or owners shall be minimized by appropriate screening, fencing or landscaping.
- E. That all provisions of the Township Zoning Ordinance are complied with unless the Zoning Board of Appeals has granted a prior variance.
- F. That all buildings and structures are accessible to emergency vehicles.

Chapter 18 - Parking

**117.1800 Requirements for Parking Areas**

*- see specific B+B requirements*

- A. Each off-street parking space per vehicle shall have an area of not less than two hundred (200) square feet, exclusive of access drives or aisles, and shall be a minimum of ten (10) feet in width.
- B. All driveways and parking areas serving commercial, industrial, institutional or multiple-family residential uses shall have surfaces consisting of gravel, asphalt or portland cement binder and so graded and drained to dispose of all surface water accumulated within the area.
- C. If the parking area adjoins a residential Zoning District, a greenbelt shall be provided and maintained between the parking area and the adjoining residential area.
- D. All parking areas shall conform to the requirements of the Americans with Disabilities Act and any other accessibility requirements in effect.

**117.1801 Parking Area Defined.** Parking area shall include access drives within the actual parking areas and shall be located on the same tract of land with the building.

**117.1802 Residential Off-street Parking.**

- A. Single-family and two-family dwellings. One (1) parking space located behind the building setback line shall be provided for each dwelling unit.
- B. Multiple-family dwellings. Two (2) off-street parking spaces shall be provided for each dwelling unit.

## 117.1604 Bed and Breakfast

In addition to the standards of Section 117.1602, A, the Planning Commission shall find that a proposed Bed and Breakfast shall meet the following specific Special Land Use standards.

- A. Basic Standards. It is the intent to establish reasonable standards for Bed and Breakfast Establishments to ensure that:
  1. The property is suitable for transient lodging facilities.
  2. The proposed use shall be compatible with other allowed uses in the vicinity.
  3. Lands in these districts shall not be subject to increased trespass.
  4. The impact of the establishment shall be no greater than that of a private home with house guests.
  5. A bed and breakfast shall maintain a smoke detector in proper working order in every sleeping room and a fire extinguisher in proper working order on every floor.
  6. Landscaping and Buffering shall be provided in accordance with Section 117.311 of this Zoning Ordinance.
- B. Specific Standards. The following requirements together with any other applicable requirements of this Ordinance shall be complied with:
  1. The minimum lot size shall be one (1) acre except in the Village zoning district where the minimum lot area shall be consistent with the district minimum for Single Family Dwellings.
  2. Not less than one (1) parking space per rental sleeping room shall be provided plus one (1) per owner occupant. Parking areas shall be screened from view from all off-site locations.
  3. One (1) non-illuminated sign identifying the establishment not to exceed four (4) square feet in area located not closer than ten (10) feet from the right-of-way shall be allowed.
  4. The establishment shall have at least two (2) door exits to the outdoors.
  5. The establishment shall be limited to no more than three (3) guest rooms and be the principal dwelling unit on the property and shall always be owner-occupied.
  6. The on-site wastewater treatment system shall be approved by the Health Department for the proposed use and occupancy.
  7. Guest stays shall not exceed seven (7) nights.
  8. The rooms utilized for sleeping shall be a part of primary residential use and not specifically constructed for rental purposes.
  9. The guest rooms shall have a minimum floor area of one hundred (100) square feet for two (2) occupants with an additional thirty (30) square feet for each additional occupant to a maximum of four (4) occupants per room.
  10. Special land use approval shall not be granted if the essential character of the lot, or structure, or neighborhood in terms of traffic generation, or appearance, or activity will be changed substantially.
  11. The site plan shall incorporate a floor plan layout of the proposed structure drawn to a scale of not less than 1" = 16' that shows the specific layout of the proposed facility in accord with the provisions of this Zoning Ordinance.

Date: 1.28.2026  
From: Jenn Cram, AICP  
To: Milton Township Planning Commission  
Project: Zoning Ordinance Amendment 2026-01 to Section 117.1616 Planned Residential Development

  
initiative

Tad Dowker has submitted a request to amend the Milton Township Zoning Ordinance Section 117.1616 (B.)(3.) and 117.1616 (B.)(17.)(a.), attached to this memo.

Per Section 117.2500 – Amendments, *any interested person may request, and the Township may approve or disapprove, an amendment to this Ordinance and/or zoning map* provided they follow the procedures outlined in Section 117.2501 and the Michigan Zoning Enabling Act.

This request has been scheduled for an Introduction at the February 4, 2026, meeting so that the Planning Commission may have the opportunity to discuss the proposed amendment and request changes or additional background material prior to proceeding to a public hearing.

Staff has reviewed the proposed amendment and understands the intent and finds that it is consistent with the Master Plan as it allows for a creative way for farmers to keep as many acres in production as possible while providing for a limited area of land to be dedicated to housing that may benefit employees of the farm or other people and families that wish to live and work in the Township.

As proposed, the development would be limited to no more than 5 acres, and any remaining acreage within the subject parcel would be dedicated to open space in addition to 50% of the proposed development acreage. As an example, a 10-acre parcel with a 5 acre Planned Residential Development would include 7.5 acres of dedicated open space. This allows the property owner to site the development where it makes sense and allows for the remaining acreage to be preserved in agriculture or in a natural state to preserve natural features such as wetlands or wooded areas. As proposed, the dedicated open space could be used for the location of wells, on-site septic systems and stormwater management. After construction and revegetation these facilities blend in as open space and still allow for a larger buffer to adjacent properties.

**Beckett & Raeder, Inc.**  
535 West William  
Suite 101  
Ann Arbor, MI 48103

734.663.2622 ph  
734.663.6759 fx

Petoskey Office  
113 Howard Street  
Petoskey, MI 49770

231.347.2523 ph  
231.347.2524 fx

Traverse City Office  
148 East Front Street  
Suite 207  
Traverse City, MI 49684

231.933.8400 ph  
231.944.1709 fx

Grand Rapids Office  
5211 Cascade Road SE  
Suite 300  
Grand Rapids, MI 49546

616.585.1295 ph

The existing language of Section 117.1616 that are proposed for amendment are included below for reference. The applicant and staff will be present during the February 4 meeting to receive planning commission input and answer questions.

### **117.1616 Planned Residential Development**

- A. **Intent.** The provisions of this Section provide standards for the submission, design, review and approval of planned residential development (PRD) projects subject to the Special Land Use provisions of Section 117.1602. The application of these planned residential development regulations are intended to:

- Conserve natural features;
- Encourage the use of land in accordance with its character and adaptability;
- Encourage creation of a meaningful greenway system for a habitat;
- Encourage innovation in land use planning;
- Provide enhanced housing, employment, traffic circulation and recreational opportunities for the people of Milton Township; bring about a greater compatibility of design and use between neighboring properties; and
- Encourage retention of agricultural uses and green spaces.

The provisions of this Section are intended to result in land development substantially consistent with the underlying zoning, with modifications and departures from generally applicable requirements made in accordance with standards provided in this Section to insure appropriate, fair and consistent decision-making. The PRD process may permit flexibility in the regulation of land development and encourage innovation and variety in land use and design.

- B. **Planned Residential Development Design Standards.** A PRD project shall be consistent with the following standards.
1. **Permitted Uses.** Land uses permitted within a PRD shall be limited to those permitted by right or by special land use in the underlying zoning district.
  2. **Open Space.** The minimum open space for any PRD shall be fifty percent (50%) of the development. Open space may be any combination of common open space, limited open space, or public open space. Wherever practical, proposed open space should connect to open space provided in adjacent developments. Open space provided should relate to the creation of a greenway system to preserve a water/wetland system, a topographic formation, choice woodlots that extend into adjacent parcels, or a known habitat of native wildlife. Items that may be in the open space include the community building, playground and other recreational equipment, septic systems and wells including pump houses, wetlands, lakes, and pools.

*i*

*initiative*

3. Base Residential Density. Except as provided in Subparagraph 4 of this section, the maximum number of residential dwellings permitted in a PRD shall be equal to the gross buildable site area divided by the minimum lot size required in the underlying zoning district. For the purposes of this Section, the gross buildable site area shall be the entire parcel area less any portion of the site comprised of surface water, wetlands, slopes in excess of 90%, and up to fifteen percent (15%) for roadways.

17. In addition to the above requirements, the following shall apply to developments in the agricultural district:

- a. Lot Area Requirements. There shall be a minimum of two (2) acres and a maximum of five (5) acres.
- b. Density. At no time shall the density be greater than four (4) dwelling units per acre.
- c. Minimum dwelling area and dimensions. When a minimum of 60% of the gross building site, calculated the same as above, is maintained as open space, the minimum dwelling size for the residential units can be reduced by up to half of the required area for the zoning district. At no time shall a dwelling unit be less than 600 sq ft. The minimum building dimensions shall not be reduced.
- d. Distance Between Developments. At no time shall two (2) developments be closer than 1,000 feet measured from the closest property lines of each development.

*i*

*initiative*

December 9, 2025

Performance Engineers, Inc recommendations for Zoning Amendment to the Milton Township, Antrim County, Zoning Ordinance Section 117.1616 Planned Residential Development.

Please find below, suggested language for the Zoning Ordinance Amendments.

#### ZONING TEXT CHANGE 1

**Section of existing Ordinance:** Section 117.1616(B)(3)

**Proposed Text including all necessary additions to or deletions from current Zoning Ordinance:**

**Deletion:**

None.

**Addition:** (shown as bold and underlined):

Base Residential Density. Except as provided in Subparagraph 4 of this section **and within the Agricultural Zoning District**, the maximum number of residential dwellings permitted in a PRD shall be equal to the gross buildable site area divided by the minimum lot size required in the underlying zoning district. For the purposes of this Section, the gross buildable site area shall be the entire parcel area less any portion of the site comprised of surface water, wetlands, slopes in excess of 90%, and up to fifteen percent (15%) for roadways.

**Explain why the Text Amendment is being requested:**

This section is in conflict and inconsistent with Section 117.1616(B)(17)(a). Adding the proposed language will create compatibility in the two sections. It essentially mandates that the Planned Residential Development is only allowed in the Agricultural Zoning District.

## ZONING TEXT CHANGE 2

Section of existing Ordinance: Section 117.1616(B)(17)(a)

Proposed Text including all necessary additions to or deletions from current Zoning Ordinance:

**Deletion:**

Lot Area Requirements. There shall be a minimum of two (2) acres and a maximum of five (5) acres.

**Addition:**

Development Area Requirements. The development area located on any parcel shall be a minimum of two (2) acres and a maximum of five (5) acres. The remaining acreage of the parcel is allowed for water wells, septic systems, and stormwater management benefiting the development and is to be dedicated as permanent open space outside of the PRD open space calculations. Any remaining acreage outside of the development area and encumbrances for utilities may be developed as any allowable use within the current zoning district. Not more than one development may be located on any parcel.

**Explain why the Text Amendment is being requested:**

It is understood that the original intent of the Planned Residential Development in Milton Township was intended for the development of affordable housing. The ordinance, as currently written, requires an existing parcel between two and five acres, or a larger parcel with splits still available. These conditions considerably limit the number of available parcels for affordable housing, and specifically prohibit many existing parcels which could be prime land for development.

Date: 1.28.2026  
From: Jenn Cram, AICP  
To: Milton Township Planning Commission  
Project: Zoning Ordinance Amendment to the definition of Migrant Workers' Facility

i  
initiative

At the January 7, 2026 meeting the planning commission discussed adding some additional language to the definition of Migrant Workers' Facility to ensure that it is clear that it meets State requirements.

Below is the existing definition.

**117.213 M**

***Migrant Workers' Facility:*** Any living quarters maintained exclusively for farm employees and their families.

A Migrant Worker Facility is a Permitted use in the A-R – Agricultural Residential and A - Agricultural districts per Sections 117.901 and 117.1001 respectively.

Per Section 117.1005 B Migrant Worker Facilities must meet all state laws at all times, included below for reference.

**117.1005 Additional restrictions and use regulations.**

- A. *Additional dwellings may be permitted on any farm for the use of farm or domestic employees of the owner or lessees, provided there not more than one (1) such tenant house shall be permitted for each ten (10) acres of farm land, and provided that each such tenant house shall be sited on the property with sufficient land to provide a future separate lot meeting the minimum lot area and width requirements of the A district.*
- B. *Migrant workers' facilities shall be approved and maintained in accordance with state law at all times.*

This language should also be added to Chapter 9 for the A-R – Agricultural Residential district as well as adding it to the definition.

Staff will be present to discuss the item further and take comment on how the planning commission would like to proceed.

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Date: 1.28.2026  
From: Jenn Cram, AICP  
To: Milton Township Planning Commission  
Project: Zoning Ordinance Amendment to Special Land Use Procedures

 initiative

At the January 7, 2026, meeting the planning commission discussed amending the procedure for special use approval to require an introduction prior to scheduling a public hearing so that the application can be vetted, questions asked and answered and additional material provided so that the public hearing can be efficient and productive.

Below is a draft of possible changes to Sections 117.1601 Special Land Use Procedures. A. and C.

**117.1601 Special Land Use Procedures**

*A Special Land Use application shall be submitted and processed according to the following procedures:*

*A. Submission of Application An application for a special land use shall be submitted to the Zoning Administrator on a Special Land Use Permit Application form. Upon receipt of a complete application, the Zoning Administrator shall place the request on the agenda for the Planning Commission for an introduction scheduled not less than thirty (30) days hence. A complete application under this Section shall be one that specifically addresses the items set forth in this Section.*

*C. Special Land Use Review Procedures. An application for Special Land Use Approval shall be processed as follows:*

*1. Planning Commission Review. A complete application for special land use approval shall be submitted not less than thirty (30) days prior to the date on which the Planning Commission shall first consider it. The Zoning Administrator shall determine whether the application is complete and, if it is determined to be complete, shall schedule an **introduction**. An applicant may request an advisory sketch plan review with the Planning Commission in accordance with Section 117.2102, prior to development and submittal of a complete special use application.*

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2. *Public Hearing Procedures. Once the **Planning Commission** has determined that a complete Special Land Use Application has been received **and is ready for public hearing**, the Zoning Administrator shall schedule a public hearing according to Section 117.2304, Hearing Notice Procedures.*

Staff will be present to discuss the item further and take comment on how the planning commission would like to proceed.



*initiative*