

**NORTHFIELD TOWNSHIP  
ZONING BOARD OF APPEALS  
March 20, 2017 7:00 p.m.  
Second Floor, Public Safety Building  
8350 Main Street, Whitmore Lake, MI 48189**

**AGENDA**

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADOPT AGENDA**
- 5. CORRESPONDENCE**
- 6. PUBLIC HEARINGS:**

- A. Case #JZBA170002 – Tammera & Michael Bollman 6404 Whitmore Lake Road, Whitmore Lake, MI 48189 submitted a Zoning Compliance application to use the site for the following to operate a headquarters for a commercial concrete paving contractor company. Parcel numbers B-02-29-200-003 and B-02-29-200-004 are both located in the AR-Agriculture District and are also located in the Whitmore Lake/North Territorial (WLNT) Overlay District. The proposed use was denied. Pursuant to Section 36-940 of the Zoning Ordinance, the applicant is appealing the Zoning Administrator's decision to deny the use to the Zoning Board of Appeals specifically as the Zoning Administrator's decision pertained to Section 36-691 "Contractor Wholesale Supply" and "Open Air Display". The applicants appeal this decision and request the Zoning Board of Appeals to classify the proposed uses as "Equipment services including repair; radio and television, electrical appliance shop, plumber, electrician and other similar services and trades."

**7. OLD BUSINESS**

**8. NEW BUSINESS:**

- A. Case #JZBA170002 – Tammera & Michael Bollman 6404 Whitmore Lake Road, Whitmore Lake, MI 48189 submitted a Zoning Compliance application to use the site for the following to operate a headquarters for a commercial concrete paving contractor company. Parcel numbers B-02-29-200-003 and B-02-29-200-004 are both located in the AR-Agriculture District and are also located in the Whitmore Lake/North Territorial (WLNT) Overlay District. The proposed use was denied. Pursuant to Section 36-940 of the Zoning Ordinance, the applicant is appealing the Zoning Administrator's decision to deny the use to the Zoning Board of Appeals specifically as the Zoning Administrator's decision pertained to Section 36-691 "Contractor Wholesale Supply" and "Open Air Display". The applicants appeal this decision and request the Zoning Board of Appeals to classify the proposed uses as "Equipment services including repair; radio and television, electrical appliance shop, plumber, electrician and other similar services and trades."

**9. APPROVAL OF MINUTES:** January 23, 2017

**10. CALL TO THE PUBLIC**

**11. ZBA MEMBER COMMENTS**

**12. ANNOUNCEMENT OF NEXT MEETING:** April 17, 2017

**13. ADJOURNMENT**

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA41.72A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at (734) 449-5000, seven days in advance.

# **NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS**

## **NOTICE OF PUBLIC HEARING**

The Northfield Township Zoning Board of Appeals will hold a public hearing at the request of:

- A. Case #JZBA170002 – Tammera & Michael Bollman 6404 Whitmore Lake Road, Whitmore Lake, MI 48189 submitted a Zoning Compliance application to use the site for the following to operate a headquarters for a commercial concrete paving contractor company. Parcel numbers B-02-29-200-003 and B-02-29-200-004 are both located in the AR-Agriculture District and are also located in the Whitmore Lake/North Territorial (WLNT) Overlay District. The proposed use was denied. Pursuant to Section 36-940 of the Zoning Ordinance, the applicant is appealing the Zoning Administrator's decision to deny the use to the Zoning Board of Appeals specifically as the Zoning Administrator's decision pertained to Section 36-691 "Contractor Wholesale Supply" and "Open Air Display". The applicants appeal this decision and request the Zoning Board of Appeals to classify the proposed uses as "Equipment services including repair; radio and television, electrical appliance shop, plumber, electrician and other similar services and trades."

The public hearing will be held on **Monday, March 20, 2017** at 7:00 p.m. on the second floor for the Northfield Township Public Safety Building, 8350 Main Street, Whitmore Lake, MI 48189. The application is on file at the Northfield Township Building/Zoning Department, 8350 Main Street, Whitmore Lake, MI 48189, and may be reviewed Monday through Friday, 8:00 a.m. to 4:30 p.m. Written comments may be submitted to the Building/Zoning Department at the Township Hall (8350 Main St.) before 12:00 p.m. on the day of the meeting.

This notice is in compliance with PA 267 of 1976 as amended (Open Meetings Act) MCLA 41.7, 2A (2) (3) and the Americans with Disabilities Act (ADA). Individuals with disabilities requiring auxiliary aids or services should contact the Northfield Township Offices at 734-449-2880, ext. 17, seven days in advance.

Kathy Manley – Northfield Township Clerk

Publish: Sunday, March 5, 2017  
Ann Arbor.com

# NORTHFIELD TOWNSHIP PAID

MICHIGAN FEB 16 2017

RECEIVED

8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: [www.northfieldmi.gov](http://www.northfieldmi.gov)

## ZONING BOARD OF APPEALS HEARING APPLICATION

Applicant Information:	Proprietor/Owner Information:
Name: <u>Tammera &amp; Michael Bollman</u>	Name: <u>Same</u>
Address: <u>6404 Whitmore LK Rd - 48189</u>	Address:
Phone: <u>734-678-3608</u>	Phone:
Email: <u>TammeraMBollman@gmail.com</u>	Email:
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.	
Proof of Ownership Attached: <input checked="" type="checkbox"/>	Non-Owner Affidavit Attached: <input type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: _____	
<b>1. PROPERTY DESCRIPTION:</b> A.) PROJECT ADDRESS: <u>6404 &amp; 6404 Whitmore LK Rd 48189</u> B.) PARCEL ID(S): <u>B0229200003 B0229299004</u> IS THIS PROPERTY IN A FLOOD PLAIN: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No C.) LEGAL DESCRIPTION: <u>See attached</u>	
<b>2. PRESENT ZONING CLASSIFICATION:</b> <u>(003)</u> <u>004</u> AR LR MR MHP SR1 SR2 LC HC GC LI GI RTM ES PUD PSC RC RO WLD- W.L./N.T. Overlay OTHER:	
<b>3. PRESENT USE OF PROPERTY:</b> <u>Nursery &amp; Supply</u>	
<b>4. NON-CONFORMING STATUS:</b> A.) Please describe briefly the Non-Conformities which exist for this property (lot, structure or use): _____ B.) State year/month Non-Conformity began (to the best of your knowledge): _____	
<b>5. VARIANCE REQUEST:</b> <u>Interpretation of WLNT Overlay</u> A.) Is a denial letter attached from the Zoning Administrator? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, identify each section of ordinance from which Variance is requested: <u>Clarification of WLNT overlay ordinance to recognize concrete trade use of parcels as permitted.</u> <u>use based on supporting documents</u>	

B.) Describe reason/need for Variance:

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C.) Explain the special conditions and circumstances that are peculiar to the land, structure or building involved, and are not applicable to other lands, structures or buildings in the same district:

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D.) Explain if the problem and resulting need for the variance(s) has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors, i.e., it is not self-created:

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E.) Is the variance requested the minimum variance needed to provide substantial relief? Describe why:

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F.) Explain why a literal interpretation of the Ordinance would deny the applicant of rights commonly enjoyed by other property owners in the same district:

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G.) Explain why granting of the variance(s) requested will not confer upon the applicant any special privilege that is denied to other lands, structures or buildings in the same district:

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H.) Explain how this variance would be in harmony with the intent of the ordinance and not injurious to the neighborhood or neighbors or otherwise detrimental to the public interest:

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I.) I, the applicant, request the Zoning Board of Appeals grant the following:

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## 6. REQUIRED DOCUMENTS:

Attach a scaled and accurate drawing (8 copies) with the following information:

- Legal description, address, and tax parcel number of the subject property.
- Boundary survey, showing all property lines, dimensions, and bearings of angles correlated with the legal description; all existing and proposed structures and uses on the property; existing zoning of subject and adjacent property; dimensions of structures and their dimensioned locations; lot area calculations necessary to show compliance with the regulations of this chapter. Such drawings shall also include well and septic locations, easements, and significant trees and wetlands if they exist on the site.
- Name and address of the applicant, property owners, interest of the applicant in the property, and signature of the property owner, if other than the applicant, concurring in the submittal of the application.
- All additional pertinent information as listed on the checklist on page 3.

All documents must be submitted at time of application. If further information is needed, the Zoning Board of Appeals reserves the right to postpone the hearing to review new information.

7. If applicable, all lot lines and building corners must be staked out a minimum of 10 days before the hearing date.

8. The address of the property must be clearly marked and visible from the road.

9. A fee of    dollars as established by the township board is attached to the application. Applicant understands that the fee will not be refunded in whole or in part regardless of the outcome of the decision.

\* \$295.00 - Single unit (excludes subdivisions, site condo plans, commercial or apartment buildings greater than 4 units.)

\$495 = All others

## 10. THE APPLICANT:

- A.) Has received and read the attached provisions of the Township Zoning Ordinance in regards to Article 66.0 "Zoning Board of Appeals" and understands that a public hearing will be established within 45 days of the filing date and;
- B.) Has also read the sections of the Township Zoning Ordinance that to pertain to this request and;
- C.) Has complied with the above requested information and understands that the Zoning Board of Appeals reserves the right to adjourn a meeting if the above stated information is not provided and to re-schedule it when the information is provided and;
- D.) Understands that any approval or denial of this application shall not relieve the applicant of compliance with all other applicable provisions of the Township Zoning Ordinance or Building Code and each variance approved shall be null and void unless authorized activity commences within 180 days after the date of approval.

## AUTHORIZED SIGNATURE

All information provided in this application is, in all respects, true and correct to the best of my knowledge, and I understand that incorrect information may be grounds for denying the application or voiding any approval granted hereunder.

Applicant(s) Signature

Date

## APPLICANT CHECKLIST

The following information must be submitted to the Northfield Township Clerk prior to the application being scheduled for a public hearing:

- \_\_\_\_\_ Completed application form
- \_\_\_\_\_ Statement authorizing variance application if not the owner
- \_\_\_\_\_ Proof of ownership property
- \_\_\_\_\_ Legal description of property
- \_\_\_\_\_ 8 copies of site plan and required information
- \_\_\_\_\_ Review Fee

**APPEAL OF DECISION**

1.) Name and Office of Official/Commission: \_\_\_\_\_

2.) Date of Decision: \_\_\_\_\_

3.) Describe Decision that is being appealed: \_\_\_\_\_

4.) Describe alternate interpretation or reason for the relief requested: \_\_\_\_\_

**ACTION TAKEN**

The Northfield Township Board of Appeals reviewed the above requested variance or appeal and;

☐ Approved: Date \_\_\_\_\_ ☐ Denied: Date \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_  
Signature of ZBA Chair\_\_\_\_\_  
Signature of ZBA Secretary

Public Hearing date and time: \_\_\_\_\_

Notice sent to Newspapers: \_\_\_\_\_ for publication on: \_\_\_\_\_

(Notice shall be given not less than fifteen (15) days nor more than thirty (30) days before the date of public hearing.)

Notice sent to neighboring owners / occupants: \_\_\_\_\_

(Notice shall be sent to all persons to whom real property is assessed and to the occupants of all structures within 300 feet of the property.)

Notice sent to Zoning Board of Appeals Members: \_\_\_\_\_

Copies of Minutes sent to: \_\_\_\_\_ File \_\_\_\_\_

Applicant: \_\_\_\_\_

Building Department: \_\_\_\_\_

Ordinance Enforcement Officer: \_\_\_\_\_

RECEIVED

FEB 16 2017

NORTHFIELD TOWNSHIP

**Date:** February 15, 2017

**Re:** Request for Review and Interpretation of Zoning Ordinance: WLNT Overlay  
Parcel B 02 29 200 003 , and  
Parcel B 02 29 200 004

**Owners:** Tammera M. and Michael E. Bollman  
6404 Whitmore Lake Road  
Whitmore Lake, MI 48189

**Request:** Review WLNT Overlay ordinance language , specifically that referring to the permitted use of property in that district by "Plumber, electrician and other similar services and trades"

Documents Attached to Request:

1. 1 copy of Northfield Twp tax bill for parcel B 02 29 200 004 with legal description
2. 1 copy of Deed to parcel B 02 29 200 003 showing legal description
3. 1 sheet Narrative describing context and rationale for request
4. 1 sheet of Definitions
5. 1 sheet showing existing site
6. 1 sheet showing proposed site
7. 1 sheet Activity Comparison table
8. 1 signed letter of support from Adjoining Property Owner to North (Bakhaus)
9. 1 signed letter of support from Adjoining Property Owner to South (Claire)

**Total Sheets to Follow: 9**



NORTHFIELD TOWNSHIP TREASURER  
8350 MAIN STREET, P O BOX 576  
WHITMORE LAKE, MI 48189-0576  
(734) 449-2880 EXT. 11

LOCAL PROPERTY TAXES 2016 SUMMER

123

TOTAL TAXES DUE IF PAID NO LATER  
THAN 09/14/2016 \$700.63

AFTER 09/14/2016 ADDITIONAL INTEREST AND FEES APPLY.

**A COPY OF THIS BILL HAS BEEN SENT  
TO YOUR MORTGAGE PROVIDER**

TAXPAYER NOTE: Is your name & mailing address correct?  
If not, please make the correction(s) below.  
B -02-29-200-004



BOLLMAN TAMMERA & MICHAEL E  
6404 WHITMORE LAKE RD  
WHITMORE LAKE, MI 48189-9257

Bank Code: 01180



LOCAL PROPERTY  
TAXES 2016 SUMMER

NORTHFIELD TOWNSHIP TREASURER  
8350 MAIN STREET, P O BOX 576  
WHITMORE LAKE, MI 48189-0576  
(734) 449-2880 EXT. 11

(PROPERTY / PARCEL NUMBER): B -02-29-200-004  
SCHOOL: 81140  
PROPERTY ADDRESS: 6410 WHITMORE LAKE RD  
PROPERTY TYPE: REAL  
PROPERTY CLASS: 401


STATE EQUALIZED VALUE: \$80,800.00  
TAXABLE VALUE: \$65,932.00

P.R.E % 100.0000

TAXING AUTHORITY		TAX RATE	TAX AMOUNT
Property Assessed To: BOLLMAN TAMMERA & MICHAEL E 6404 WHITMORE LAKE RD WHITMORE LAKE, MI 48189-9257	WASHTENAW CTY	4.52150	298.11
	STATE ED TAX	6.00000	395.59
Legal Description: *OLD SID - B 02-029-003-00 NO 29-28 COM AT NE COR OF SEC. TH W 661.7 FT IN N LN OF SEC. TH DEFL 89-52-30 TO LFT 495.4 FT FOR POB TH DEFL 89-43- 30 TO THE RGT 2539.13 FT TH DEFL 94-45-30 TO THE LFT 165.57 FT IN CENT OF HWY TH DEFL 85-14-30 TO THE LFT 2524.6 FT TH N 165 FT TO POB PART OF N 1/2 OF N 1/2 EXC TH T PRT LYNG ELY OF A LN 125 FT WLY OF & PRL TO THE SRVY LN US 23 RLCTN, SEC 29, T1S-R6E; CONT 1.89 ACRES			
MESSAGE TO TAX PAYER TAXES ARE DUE 09/14/2016. INTEREST APPLIES AT 1% PER MONTH BEGINNING 09/15/2016. AN ADDITIONAL 3% PENALTY IS APPLIED BEGINNING 02/15/2017. THE TAX LAW CLEARLY STATES THE PROPERTY OWNER IS RESPONSIBLE FOR THE TIMELY PAYMENT OF THE TAXES EVEN IF THEY HAVE NOT RECEIVED A TAX BILL. FAILURE TO RECEIVE YOUR TAX BILL DOES NOT EXEMPT YOU FROM BEING ASSESSED LATE CHARGES. LAST DAY TO PAY TAXES INCLUDING INTEREST & PENALTY IS 02/28/ 2017.			
FISCAL YEARS SCHOOL- 07/01/2016 - 06/30/2017 STATE - 10/01/2015 - 09/30/2016 COUNTY- 01/01/2016 - 12/31/2016 CITY/TOWNSHIP- 07/01/2016 - 06/30/2017			
TAXES AND SPECIAL ASSESSMENTS ADMINISTRATION FEE INTEREST		10.52150	693.70 6.93 0.00
TOTAL DUE 09/14/2016			\$700.63

MAKE CHECKS PAYABLE TO:  
NORTHFIELD TOWNSHIP TREASURER  
8350 MAIN STREET, P O BOX 576  
WHITMORE LAKE, MI 48189-0576  
(734) 449-2880 EXT. 11



L: 5130 P: 666 6297334 D  
12/30/2015 03:16 PM Total Pages: 2  
Lawrence Kestenbaum, Washtenaw Co.  




Receipt# 15-28554 6297334  
12/30/2015 Washtenaw Co, Michigan  
Real Estate Transfer Tax  
Tax Stamp # 418935  
County Tax: \$13.20 State Tax: \$90.00



**QUITCLAIM DEED**  
Under MCLA 565.152

This QUITCLAIM DEED, executed on this 30 day of December , 2015 , by the grantor:  
Nursery Merchant, Incorporated

for consideration in the sum of: \$12,000.00 (Twelve Thousand Dollars and no cents)

WITNESSETH that the grantor quitclaims to the grantee:

Tammera M. and Michael E. Bollman, a married couple, as tenants by entirety  
6404 Whitmore Lake Road  
Whitmore Lake, MI 48189 \* Bollman

all that real property situated in the municipality of Northfield Township , in Washtenaw County,  
Michigan, more particularly described as:

1.77 acres with easement(s) described as:

TRANS 2/28/96 \*OLD SID - B 02-029-006-00 NO 29-2E COM AT NE CORNER OF SEC, TH W IN N LINE  
OF SEC 661.7 FT, TH DEFL 89 DEG 52'30" TO THE LEFT 495.40 FT, TH DEFL 89 DEG 43'30" TO THE  
RIGHT 2066.86 FT TO W LINE OF U.S. 23 RELOCATION FOR PL OF BEG, TH CONT IN SAME  
COURSE 472.27 FT TO THE CENTER LINE OF WHITMORE LAKE ROAD, TH DEFL 85 DEG 14'30" TO  
THE RIGHT 68.34 FT ALONG SAID CENTER LINE, TH IN THE ARC OF CIRCULAR CURVE LEFT OF  
RADIUS 1432.69 FT THRU CENTRAL ANGLE 4 DEG 01' THE CHORD DEFL 2 DEG 00' 30" TO THE  
LEFT FROM LAST COURSE 100.39 FT, TH ELY 425.13 FT TO W LINE OF U.S. 23, TH SE'LY ALONG  
W LINE OF U.S. 23 177.07 FT TO THE PL OF BEG, BEING PART OF NE 1/4 OF NW 1/4 SEC 29 T1S-R6E  
1.77 AC

Address: Whitmore Lake Road  
Parcel ID: B-02-29-200-003  
Source of title:

Deed dated February 28, 1996 grantor Consumers Power Company to Nursery Merchant Inc, a Michigan  
corporation, recorded among Deed Records at Washtenaw County Michigan on Liber 3237 Page 130.

Time Submitted for Recording  
Date 12-30-15 Time 3:08 pm  
Lawrence Kestenbaum  
Washtenaw County Clerk/Register

(15)

## Narrative

These two ,adjoining, parcels total 3.66 acres and are currently owned by Tamera and Michael Bollman. The 1.77 acre parcels is zoned LI and the 1.89 acre parcel is zoned AG. Tamera, then Tamera Merchant, appeared at a township planning commission meeting in February, 1987 and presented her plan to continue the nursery activities established by the Winters Family on that site and expand the business based on local demand . Her request was approved and Nursery Merchant opened in May of 1987.

On or about July of 1991 she and her new husband, Mike, appeared at the board's request to determine if the business was in violation of the zoning ordinance. After listening to the information presented, board determined there was no violation. The business continued to grow and evolve until 2014 when changing conditions in the industry made the business less profitable.

Prior to listing it for sale, Tamera, Mike and their realtor, Charles Koen, met with Northfield zoning administrator, Doug Lewan to discuss the potential need to re-zone the property prior to selling or renting. Mr Lewan described the WLNT overlay district and indicated there was greater flexibility in relying on that ordinance than in having the property re-zoned to a fixed use. They discussed the potential renter, a paving company, and shared activity and traffic projections for the paving company as compared to the prior nursery supply. Mr Lewan did not see a conflict with the intent of the WLNT overlay in those activities and the Bollmans entered into a lease with the paving company.

In October, 2014 Kurt, the township ordinance officer, presented the paving company with a stop activities order. When Tamera called and spoke to Kurt, he was unaware of the earlier discussion with Mr Lewan or the history of the zoning approval. He conferred with Mr Lewan and dropped the stop order.

The property is now listed for sale. A serious interest has been voiced by a local business that has operated for 11+ years from a location 1/2 mile north of the Bollman property. They plan to make significant improvements and want to be sure there is no problem moving their business to the new location before making the investment.

The interested party is in the concrete trade and does virtually all their work with municipal and government projects throughout Michigan and surrounding states, primarily in sidewalk, road and bridge construction. Their business planning, design, bidding and crew deployment occurs from their Whitmore Lake Road location. Concrete is purchased from redi-mix companies and delivered directly to the job site. They do not routinely store or stock loose material such as sand or gravel on site. A list of their business activities appears in a comparison table that is attached to this narrative.

The parties met with the prior township manager and the zoning administrators last fall. It was their opinion that the new use was similar to a wholesale contractor and as such would be a conditional use for the property.

It is the owners opinion that the WLNT overlay ordinance specifically states that "electrician, plumber and similar services and trades" are a permitted use in that district. By definition of 2017 NAICS, the classification system adopted by the US Government a concrete contractor is indeed a trade business and includes the same "electrician, plumber" delineations as the township language. By definition, the use is permitted.

To further show how the new business would complement local business activities and be a continued asset to the community a table is attached to show how each activity of the concrete contractor is similar and in harmony with existing recognized permitted activities.

The owners feel they did not clearly state their case or provide adequate support documentation at the initial, informal meeting and apologize for that shortcoming. They now ask that the zoning administrators, the planning commission, and/or the ZBA review the attached information and pronounce the proposed use a permitted use according to the WLNT Overlay ordinance.

Respectfully submitted,

## Definitions

### Northfield Township Code of Ordinances: Sec. 36-691 Land uses:

(b) Permitted overlay district uses. In addition to the permitted and conditional land uses of the underlying zoning district, the following uses may be considered for approval as noted in the table of permitted and conditional uses in the WLNT overlay district below.

"Equipment services including repair ...plumber, electrician and other similar services and trades."

### What is the NAICS Classification?

The North American Industry Classification System (NAICS) is the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy. Dec 29, 2016

## 2017 NAICS Definition

T = Canadian, Mexican, and United States industries are comparable.

### Sector 23 -- Construction

#### 238 Specialty Trade Contractors

The Specialty Trade Contractors subsector comprises establishments whose primary activity is performing specific activities (e.g., pouring concrete, site preparation, plumbing, painting, and electrical work) involved in building construction or other activities that are similar for all types of construction, but that are not responsible for the entire project. The work performed may include new work, additions, alterations, maintenance, and repairs. The production work performed by establishments in this subsector is usually subcontracted from establishments of the general contractor type or for-sale builders, but especially in remodeling and repair construction, work also may be done directly for the owner of the property. Specialty trade contractors usually perform most of their work at the construction site, although they may have shops where they perform prefabrication and other work. Establishments primarily engaged in preparing sites for new construction are also included in this subsector.

There are substantial differences in types of equipment, work force skills, and other inputs required by specialty trade contractors. Establishments in this subsector are classified based on the underlying production function for the specialty trade in which they specialize. Throughout the Specialty Trade Contractors subsector, establishments commonly provide both the parts and labor required to complete work. For example, electrical contractors supply the current-carrying and noncurrent-carrying wiring devices that are required to install a circuit. Plumbing, heating, and air-conditioning contractors also supply the parts required to complete a contract.

### Sector 23 -- Construction

#### 237 Heavy and Civil Engineering Construction

The Heavy and Civil Engineering Construction subsector comprises establishments whose primary activity is the construction of entire engineering projects (e.g., highways and dams), and specialty trade contractors, whose primary activity is the production of a specific component for such projects. Specialty trade contractors in the Heavy and Civil Engineering Construction subsector generally are performing activities that are specific to heavy and civil engineering construction projects and are not normally performed on buildings. The work performed may include new work, additions, alterations, or maintenance and repairs.

Specialty trade activities are classified in this subsector if the skills and equipment present are specific to heavy or civil engineering construction projects. For example, specialized equipment is needed to paint lines on highways. This equipment is not normally used in building applications so the activity is classified in this subsector. Traffic signal installation, while specific to highways, uses much of the same skills and equipment that are needed for electrical work in building projects and is therefore classified in Subsector 238, Specialty Trade Contractors.

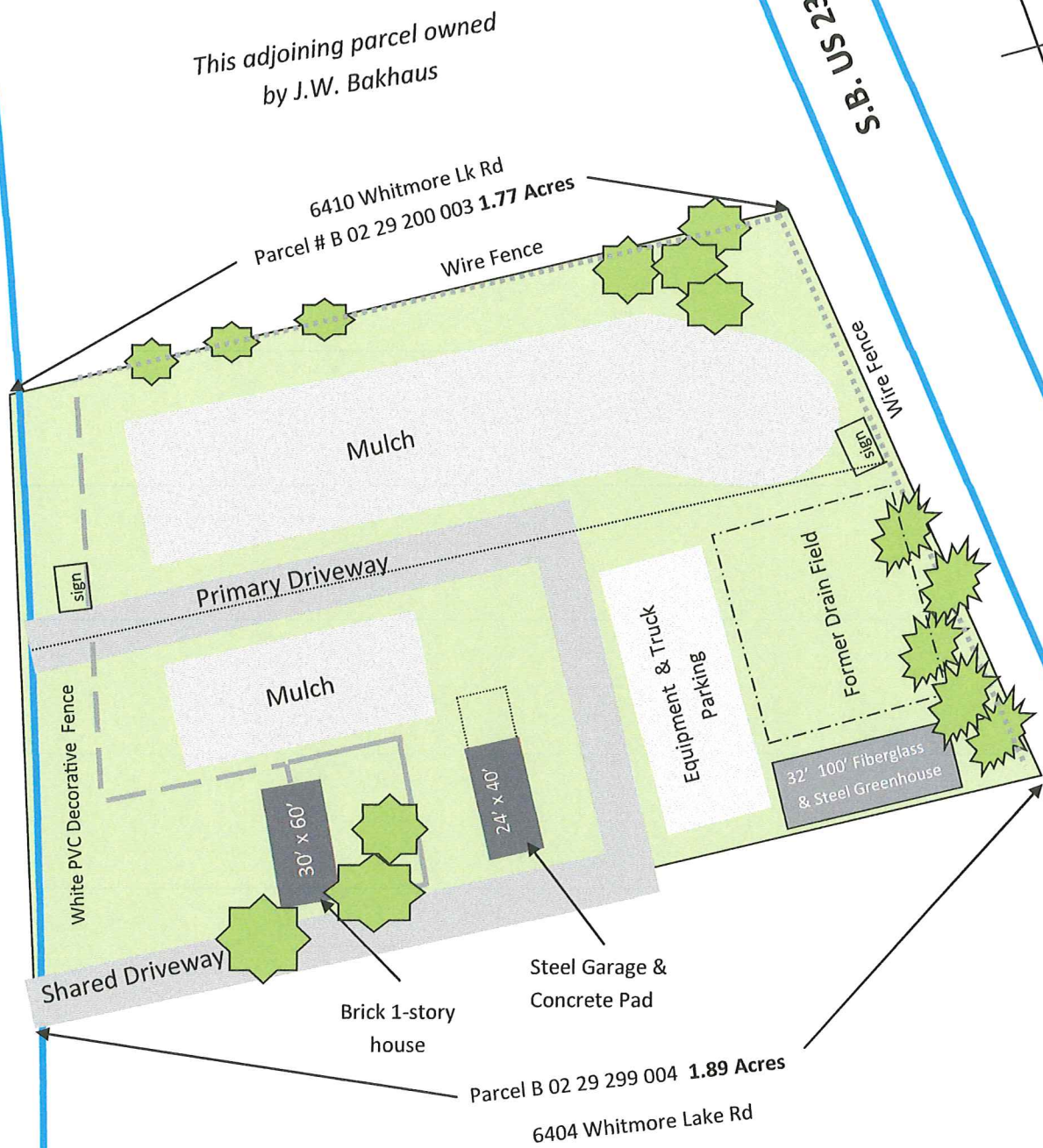
### What NAICS Classification does GM& Sons, Inc. provide for government, municipal and private bid documents?

237310



# Current Site

Whitmore Lake Road



SCALE: 1/4 inch = 25 feet  
1 inch = 100 feet

# Proposed Site

N

Whitmore Lake Road

SLM Trailer Property

Parcel # B 02 29 200 003 1.77 Acres

Wire Fence

U.S. B. 23

Vehicle Parking

Primary Driveway

Vehicle Parking

Fenced  
Equipment Parking

White PVC Decorative Fence

Parking

30' x 60'

60' x 75'  
Steel Garage

Brick 1-story  
Office

Shared Driveway

Parcel B 02 29 299 004 1.89 Acres

Claire Property

SCALE: 1/4 inch = 25 feet  
1 inch = 100 feet



## Comparison of Proposed and Permitted Activities

Business Activity in Proposed Use	Similar Activity in Permitted Use in WLNT Overlay District	Similar Current Activity in Underlying District
Parking of customer, staff and vendor passenger vehicles	<ul style="list-style-type: none"> <li>Medical and Dental Clinics</li> <li>Groceries , Bakeries, Similar</li> <li>Pharmacies, hardware, gift and dry goods store</li> <li>Restaurants, Theatres, Bowling Alleys</li> <li>Equipment Services...plumber, electrician, other similar trades</li> <li>Industrial Research</li> <li>Automated Production Equipment</li> </ul>	<ul style="list-style-type: none"> <li>Asphalt Trucking</li> <li>Landscape Supply</li> <li>Automotive Repair Facility</li> <li>Trailer Sales</li> <li>Nursery Supply</li> </ul>
In-office design of projects and production of proposals, blueprints, and construction plans	<ul style="list-style-type: none"> <li>Business &amp; Professional offices</li> <li>Printing, lithographic, blueprinting services</li> <li>Space Vehicles and Parts</li> </ul>	<ul style="list-style-type: none"> <li>Brick and construction material sales</li> <li>Landscape Supply</li> <li>Basement Waterproofing</li> </ul>
Staff meetings and daily deployment of employees in company vehicles	<ul style="list-style-type: none"> <li>Scientific Research</li> <li>Equipment Services including repair... trades</li> <li>Funeral Homes</li> </ul>	<ul style="list-style-type: none"> <li>Landscape Supply</li> <li>Nursery Supply</li> <li>Scrap Metal Recycling</li> </ul>
Parking of construction equipment that is not currently active on a project	<ul style="list-style-type: none"> <li>Electricity switching and step-down stations</li> <li>Industrial Research</li> <li>Scientific Research</li> </ul>	<ul style="list-style-type: none"> <li>Asphalt Trucking</li> <li>Landscape Supply</li> <li>Scrap Metal Recycling</li> <li>Nursery Supply</li> </ul>
Indoor maintenance and minor repair of equipment and vehicles	<ul style="list-style-type: none"> <li>Automated Production Equipment</li> <li>Measuring, analyzing and Controlling instruments</li> <li>Scientific Research</li> </ul>	<ul style="list-style-type: none"> <li>Automotive Repair Facility</li> <li>Diesel Repair Facility</li> <li>Trailer Sales</li> <li>Asphalt Trucking</li> </ul>
On-site deliveries via tractor-trailers	<ul style="list-style-type: none"> <li>Virtually every listed permitted activity</li> </ul>	<ul style="list-style-type: none"> <li>Virtually every listed current activity</li> </ul>
Indoor storage of small parts, hand tools, attachments, and finishing implements	<ul style="list-style-type: none"> <li>Space Vehicle and Parts</li> <li>Electric Components and Accessories</li> <li>Automated Production Equipment</li> </ul>	<ul style="list-style-type: none"> <li>Automotive Repair Facility</li> <li>Landscape Supply</li> <li>Asphalt Trucking</li> </ul>
Outdoor storage of materials, e.g. dry mixes, concrete bumpers and curbs	<ul style="list-style-type: none"> <li>Automated Production Equipment</li> <li>Equipment Services....Trades</li> <li>Pharmacies, Hardware....</li> </ul>	<ul style="list-style-type: none"> <li>Asphalt Trucking</li> <li>Trailer Sales</li> <li>Landscape Supply</li> </ul>

DATE: February 14, 2017

TO: Northfield Township  
Planning Commission  
8350 Main Street  
Whitmore Lake, MI 48189

RE: Northfield Township Parcels:  
02 29 200 003 and 02 29 200 004  
6404 Whitmore Lake Rd & 6410 Whitmore Lake Rd

I am the property owner for the parcel identified as: 6480 Whitmore Lake  
Road, Whitmore Lake Michigan 48189.

My parcel adjoins and shares a lot line with the above-described parcels.

I support the owners of these described parcels in their request to allow the conditional zoning  
of Contractor as a permitted use for that property.

Signed,

Signature

Printed Name

John W Bakhaus  
248 3180814 734 3021177  
I may be contacted at this phone number

DATE: February 14, 2017

TO: Northfield Township  
Planning Commission  
8350 Main Street  
Whitmore Lake, MI 48189

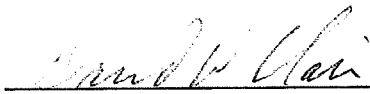
RE: Northfield Township Parcels:  
02 29 200 003 and 02 29 200 004  
6404 Whitmore Lake Rd & 6410 Whitmore Lake Rd

I am the property owner for the parcel identified as: 6400 Whitmore Lake  
Road, Whitmore Lake Michigan 48189.

My parcel adjoins and shares a lot line with the above-described parcels.

I support the owners of these described parcels in their request to allow the conditional zoning  
of Contractor as a permitted use for that property.

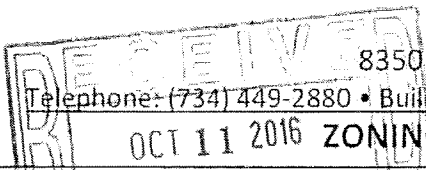
Signed,

  
\_\_\_\_\_  
Signature

DAVID W. CLAIR  
\_\_\_\_\_  
Printed Name

734-904-1908  
\_\_\_\_\_  
I may be contacted at this phone number

# NORTHFIELD TOWNSHIP MICHIGAN



8350 Main Street • Whitmore Lake, Michigan 48189-0576

Telephone: (734) 449-2880 • Building Dept. (734) 449-5000 • Fax: (734) 449-0123 • Web Site: [www.twp-northfield.org](http://www.twp-northfield.org)

## OCT 11 2016 ZONING COMPLIANCE APPLICATION / CERTIFICATION

Zoning Compliance is required prior to new construction, alterations to an existing structure, or change of use. This application must be accompanied by two (2) copies of scaled site plans meeting the information requirements of the Zoning administrator. Plans must be dated (mo., day, yr.), including revisions, notate scale, and include a directional 'North' arrow. Proposed and existing structures must be included in plans. For non-residential uses in any zoning district, all buildings and structures, utilities, parking area, dumpsters, landscaping, sidewalks, paved drives, fences, sign locations, etc. must be clearly visible on plans. Site plans must also list the name, address, and parcel number of the property being reviewed on the Zoning Application. Applications for zoning compliance certificates shall be deemed abandoned (6) months after the date of filing unless diligently pursued or a building permit or certificate of occupancy is issued. Any certificate shall become invalid if the authorized work is suspended or abandoned for a period of six (6) months after commencement of work.

<b>PROJECT NAME:</b> <u>GM &amp; Sons, Inc.</u>	
<b>PROJECT ADDRESS:</b> <u>6410 + 6404 Whitmore Lake Road</u>	
<b>PARCEL ID(S):</b> <u>B-02-29-200-003 &amp; 004</u>	<b>IS THIS PROPERTY IN A FLOOD PLAIN:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>Applicant Information:</b>	<b>Proprietor/Owner Information:</b>
<b>Name:</b> <u>GM &amp; Sons, Inc. Karl Schweitzer</u>	<b>Name:</b> <u>Tammara &amp; Michael Bollman</u>
<b>Address:</b> <u>6784 Whitmore Lake Rd.</u>	<b>Address:</b> <u>6410 Whitmore Lake Rd.</u>
<b>Phone:</b> <u>(734) 929-1259</u>	<b>Phone:</b> <u>(734) 678-3608</u>
<b>Email:</b> <u>Karl@gmandsons.com</u>	<b>Email:</b> <u>tm Bollman@yahoo.com</u>
If application is made by anyone other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or agent thereof that the application and the proposed work or operation is authorized by the owner in fee. If the owner or lessee is a corporate body, the full name and address of the responsible officers shall also be provided.	
<b>Proof of Ownership Attached:</b> <input checked="" type="checkbox"/>	<b>Non-Owner Affidavit Attached:</b> <input type="checkbox"/>
If applicant is not the owner, describe applicants interest in the property: <u>Want to Purchase</u>	

PROPERTY DESCRIPTION	
<b>Description of Proposed Use:</b> <u>see attached.</u>	
<b>Sanitary Facilities:</b> <input checked="" type="checkbox"/> Sewer; Sewer Tap Permit #: <u>on file</u> <input type="checkbox"/> Septic; WCHD Permit #: _____	
<b>Zoning Classification(s):</b> <input checked="" type="radio"/> AR <input type="radio"/> LR <input type="radio"/> MR <input type="radio"/> MHP <input type="radio"/> SR1 <input type="radio"/> SR2 <input type="radio"/> LC <input type="radio"/> HC <input type="radio"/> GC <input type="radio"/> LI <input type="radio"/> GI <input type="radio"/> RTM <input type="radio"/> ES <input type="radio"/> PUD <input type="radio"/> PSC <input type="radio"/> RC <input type="radio"/> RO <input type="radio"/> WLD- <u>W.L./N.T. Overlay</u> <input type="radio"/> OTHER: _____	
<b>Type of Construction/Alteration:</b> <u>Use <del>existing</del> shop for maintenance of trucks and equipment. Current Greenhouse for storage. Current office (mobile) to be removed. Existing house to be office use.</u>	
<b>Project Start Date:</b> <u>January 2018</u>	<b>Project Completion Date:</b> <u>Mid year 2018</u>

AUTHORIZED SIGNATURE	
In the case of a false statement or misrepresentation of fact in the application or on the plans on which the certificate is based, any zoning compliance certificate issued thereto shall be null and void.	
I hereby acknowledge the above facts and those on the attached site sketch and prints to be true to the best of my knowledge and state that said construction and/or occupancy of the structure and/or site shall occur in accordance with this certificate. Further, I agree to give permission for officials of Northfield Township, Washtenaw County and the State of Michigan to enter the property for the purposes of inspection.	
<u>Charlotte Hume</u> Agent for Applicant & Owner	<u>10-5-16</u>
Applicant(s) Signature	Date

## FOR OFFICE USE ONLY

Received Date:

Paid Date:

Existing Legal Non-Conformities:

☐ Yes ☐ No**RECEIVED**

OCT 06 2016

**PAID**

OCT 06 2016

NORTHFIELD TOWNSHIP TREASURER

If yes, explain below:

NOT KNOWN

NORTHFIELD TOWNSHIP

## ZONING COMPLIANCE CERTIFICATE:

☒ Approved: Date 10/18/16☐ Approved As Noted: Date \_\_\_\_\_☒ Denied: Date 10/18/16☒ Conditional Use Required☒ Site Plan Approval RequiredCOMMENTS: REQUEST PROPOSES 2 USES. ONE IS APPROVED, THE OTHER DENIED. THE USE APPROVED REQUIRES SITE PLAN & CONDITIONAL USE APPROVAL.SEE ATTACHED COMMENT SHEET

Zoning Administrator Signature

Date

10-18-16

## AREA OF CONCERN

Landscaping:	Complies	Does Not Comply	N/A
1 Greenbelt	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Parking lot islands, etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Site Landscaping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Foundation Planting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Dumpster Screening	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6 Comments:

## Signs:

7 Number of Signs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8 Size and area	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9 Comments:

## Comments:

Engineering: \_\_\_\_\_

Utilities: \_\_\_\_\_

☐ Connection fee's paid

Fire Chief: \_\_\_\_\_

☐ Inspection Complete

Access: \_\_\_\_\_

Other Conditions of Approval: \_\_\_\_\_

Additional Comments: \_\_\_\_\_



## **6410 Whitmore Lake Road**

Applicant: GM & Sons Inc. Karl Schweitzer (owner: Tamera & Michael Bollman)

Request: Use 1: To operate a bulk landscape nursery and supply (wholesale, retail & contractor)  
Use 2: To operate a HQ for paving and cement contractor company

Zoning: AR (agriculture) District - Whitmore Lake North territorial Overlay District (WLNT)

Action: **Use 1: Approved** (requires site plan approval from Planning Commission and conditional use approval from Township Board with PC recommendation)  
(see comments below)

**Use 2: DENIED** (see comments below)

### **Comments:**

The subject site is zoned AR (Agriculture); however it is located in the Whitmore Lake North Territorial overlay district which allows for flexibility in use and greatly expands the uses allowable under the underlying zoning district.

**Use 1:** The applicant has submitted a business summary which includes growing of greenhouse plants; mixing and sorting of sand, mulch and other landscape supplies; loading and unloading of trucks and trailers; on site minor equipment repair and office use associated with the business.

Section 36-691 (WLNT district) of the Zoning Ordinance permits contractor's wholesale supply and open air display as conditional land uses which require the submission of a site plan for full site plan and conditional land use approval. Section 36-157 (16) (AR District) permits landscape nurseries, greenhouses and landscape businesses with retail facilities, subject to several conditions. This use too requires the submission of a site plan for full site plan and conditional land use approval.

**Use 2:** The applicant has submitted a business summary which includes storage of broken concrete and recycled asphalt as part of a paving and cement contracting company. The WLNT and the underlying AR zoning district do not allow for a contractor's outdoor yard storage (different from outdoor display) of such materials.

If the applicant should choose to proceed with Use 1 as noted above, a detailed site plan must be submitted for Planning Commission review and approval in compliance with standards listed in Section 36-689, which includes design standards associated with vehicle and pedestrian circulation, community design features, landscaping and screening, building design changes, signage, lighting and more.

Zoning Administrator

10-18-16

# Washtenaw County Parcel Report

Parcel ID:

B -02-29-200-004

Report generated 3/5/2014 2:58:47 PM

## Parcel Information

**PIN:** B -02-29-200-004  
**CVT Code:** B  
**CVT Description:** TOWNSHIP OF NORTHFIELD  
**School:** 81140 , WHITMORE LAKE PUBLIC SCHO  
**Property Class:** 401 , RESIDENTIAL

## Property Information

**Address:** 6410 WHITMORE LAKE RD  
 WHITMORE LAKE , MI 48189

## Owner Information

**Owner:** BOLLMAN TAMMERA & MICHAEL E  
  
**Address:** 6410 WHITMORE LAKE RD  
 WHITMORE LAKE , MI 48189



Parcel highlighted in blue

## Homestead Information

**Homestead Percent:** 100 %

## Values

**Assessed Value:** \$ 66300      **SEV:** \$ 66300  
**Capped Value:** \$ 66150      **Taxable Value:** \$ 66150

## Drain Assessment (not incl. drain debts)

Year	Drain Name	Amount
2010	Catholic Ch Horseshoe Lk	\$ 3.20
2010	Horseshoe Lake Outlet	\$ 1.59
2011	Catholic Ch-Horseshoe Lk	\$ 6.11
2011	Horseshoe Lake Outlet	\$ 2.00
2012	Horseshoe Lake Outlet	\$ 2.34

## Sales (last 3 max)

Date	Sale Price	Type
03/16/1994	80000	WARRANTY DEED
12/22/1991	74000	WARRANTY DEED
12/01/1991	74000	WARRANTY DEED

## Tax Description

\*OLD SID - B 02-029-003-00 NO 29-2B COM AT NE COR OF SEC, TH W 661.7 FT IN N LN OF SEC, TH DEFL 89-52-30 TO LFT 495.4 FT FOR POB TH DEFL 89-43-30 TO THE RGT 2539.13 FT TH DEFL 94-45-30 TO THE LFT 165.57 FT IN CENT OF HWY TH DEFL 85-14-30 TO THE LFT 2524.6 FT TH N 165 FT TO POB PART OF N 1/2 OF N 1/2 EXC THT PRT LYNG ELY OF A LN 125 FT WLY OF & PRLL TO THE SRVY LN US 23 RLCTN. SEC 29 T1S R6E 1.89 AC



# Washtenaw County Parcel Report

Parcel ID:

B -02-29-200-003

Report generated 3/5/2014 2:58:15 PM

## Parcel Information

**PIN:** B -02-29-200-003  
**CVT Code:** B  
**CVT Description:** TOWNSHIP OF NORTHFIELD  
**School:** 81140 , WHITMORE LAKE PUBLIC SCHO  
**Property Class:** 202 , COMMERCIAL VACANT

## Property Information

**Address:** WHITMORE LAKE RD  
WHITMORE LAKE , MI 48189

## Owner Information

**Owner:** NURSERY MERCHANTS INC

**Address:** 6410 WHITMORE LAKE RD  
WHITMORE LAKE , MI 48189



Parcel highlighted in blue

## Homestead Information

**Homestead Percent:** 0 %

## Values

**Assessed Value:** \$ 29400 **SEV:** \$ 29400  
**Capped Value:** \$ 12820 **Taxable Value:** \$ 12820

## Drain Assessment (not incl. drain debts)

Year	Drain Name	Amount
2010	Catholic Ch Horseshoe Lk	\$ 3.81
2010	Horseshoe Lake Outlet	\$ 1.82
2011	Catholic Ch-Horseshoe Lk	\$ 7.27
2011	Horseshoe Lake Outlet	\$ 1.59
2012	Horseshoe Lake Outlet	\$ 1.86

## Sales (last 3 max)

Date	Sale Price	Type
02/28/1996	12000	QUIT CLAIM DEED

## Tax Description

TRANS 2/28/96 \*OLD SID - B 02-029-006-00 NO 29-2E COM AT NE CORNER OF SEC, TH W IN N LINE OF SEC 661.7 FT, TH DEFL 89 DEG 52'30" TO THE LEFT 495.40 FT, TH DEFL 89 DEG 43'30" TO THE RIGHT 2066.86 FT TO W LINE OF U.S.23 RELOCATION FOR PL OF BEG, TH CONT IN SAME COURSE 472.27 FT TO THE CENTER LINE OF WHITMORE LAKE ROAD, TH DEFL 85 DEG 14'30" TO THE RIGHT 68.34 FT ALONG SAID CENTER LINE, TH IN THE ARC OF CIRCULAR CURVE LEFT OF RADIUS 1432.69 FT THRU CENTRAL ANGLE 4 DEG 01' THE CHORD DEFL 2 DEG 00' 30" TO THE LEFT FROM LAST COURSE 100.39 FT, TH ELY 425.13 FT TO W LINE OF U.S. 23, TH SE'LY ALONG W LINE OF U.S. 23 177.07 FT TO THE PL OF BEG, BEING PART OF NE 1/4 OF NW 1/4 SEC 29 T1S-R6E 1.77 AC.

# **Statement of Proposed Business Activities at 6410 Whitmore Lake Road for GM & Sons, Inc. 2017**

## **Primary Business Activity:**

Headquarters for Commercial Concrete Contractor  
(installation only, no concrete ready-mix or material processing on site).

## **Equipment Owned/Stored on premises (December – April):**

32' x 96' Steel & Fiberglass Greenhouse for Material Storage  
Pickup Trucks: 18  
Mechanic Service Truck: 1  
Flatbed Trucks: 10  
Equipment Trailers: 1  
Material Trailers: 6  
Crew Cargo Trailers: 10  
Backhoes: 5  
Skid Steers: 4  
Screed/Paver: 1  
Mobile Air Compressors: 2

## **Equipment Owned/Stored on premises (May - November):**

Once we start our season, very little equipment stays in our yard.  
We park on our job sites all over the entire state.

## **Activities to be performed on site:**

Office activities, including commercial estimating of commercial concrete paving, telephone, fax, computers, occasional customer & supplier visits, collections, payments, payroll.  
On-site minor equipment repairs: diagnostics, welding, part replacement, tire changes

## **Signage:**

1 - 4' x 8' Business name sign on US 23 (same support structure existed when property was purchased in 1986)  
1- 4' x 8' Business name sign near entrance on Whitmore Lake Road

## **Business Activity Hours:**

7 am – 5 pm Monday through Friday, most Saturday mornings between May – November

## **Workforce May-November:**

### **On-Site:**

Office & Management: 6  
Mechanic: 1

### **Off-Site Projects:**

Superintendents: 2  
Foremen: 9  
Laborers: 64  
Cement Masons: 16

## **Workforce December – April:**

Office & Management: 6  
Mechanic: 1

**Vehicle Trips In & Out of Driveway per business week May - November:**

Mechanic's Service Truck:	15 – 25
Flatbed Trucks :	5 - 10
Cars, Pickups & Pickups with Trailers:	50 - 75

**Summary:**

We will conduct our business at this location much as we have at: 6784 Whitmore Lake Road for the last 10 years.

Our office operates year round, whereas our field operations are mostly from May through November. In late April, we will have most activity on the premises, as crews assemble and load their trucks/trailers with tools, materials, equipment, etc., then again in early December as they return everything for winter storage.

Daily activity May – November is office staff, mechanic, occasional parts deliveries. Foremen and/or laborers may stop by for miscellaneous tools and/or materials. Occasionally a few field employees will drive to the office in the morning and carpool to a jobsite.

We will not have regular business traffic, as we do not sell any products or services to the general public.



**Statement of Business Activities at 6410 Whitmore Lake Road  
for Nursery Merchant Inc. 1987 – 2014**

**Primary Business Activity:**

Bulk Landscape and Nursery Supply [Wholesale, Retail & Contractor]

**Equipment Owned/Operated on premises:**

32' x 96' Steel & Fiberglass Greenhouse  
150 cu yd per hour bulk Mulch Dye Plant with 50' conveyor  
3 dump trucks  
2 pickups  
1 SUV  
1 wheel loader (seasonal)  
1 Skid Loader (seasonal)  
3 equipment/utility trailers  
1 office trailer

**Supplier / Customer Equipment Operated on premises**

Highway Tractor-Trailers delivering raw bark mulch  
Highway Tractor & Gravel Trains delivering soil, sand, & stone  
Highway Tractor-Trailers delivering raw wood chips for dye plant  
Freight Vans delivering Dye for dye plant

**Activities Performed:**

Plant and dig ornamental trees and shrubs  
Pot and grow greenhouse plants  
Load trucks & trailers  
Unload trucks & trailers  
Run raw wood chips through dye plant, dry & restack with wheel loader  
Mix and sort bark piles with wheel loader  
Mix and sort soil, sand & stone piles with wheel loader  
Push supply piles into concrete bins  
Construct and move concrete bins with bin blocks  
On-site minor equipment repairs: diagnostics, welding, part replacement, tire changes  
Office activities, including telephone, fax, computer, tax forms, customer & supplier visits, collections, payments, sales and advertising

**Signage:**

1 - 4' x 8' Business name sign on US 23 (same support structure existed when property was purchased in 1986)  
1 - 18" x 8' Phone number sign on US23 (at top and on same sign structure as 4 x 8 sign above)  
2 - 18" x 6' Business name signs affixed to corners of PVC fence at Whitmore Lake Road  
1 - 18" x 3' Hours of operation sign at drive entrance on Whitmore Lake Road

**Business Activity Hours:**

7 am – 9 pm Monday through Saturday

**Workforce:**

Office: 2      Drivers: 3      Loader Operator: 1      Sales: 1      Owners/Officers: 2

**Vehicle Trips In & Out of Driveway per business week:**

Highway Tractors with Gravel Train or 50' Walking Floors:	10 – 20
Straight Dump Trucks:	50 – 100
Pickups, Cars & Cars with Trailers:	30 – 50

## **Statement of Business Activities at 6410 Whitmore Lake Road for Somerset Paving**

### **Primary Business Activity:**

Headquarters for paving and cement Contractor Company

### **Business Activity Hours:**

Sales office Monday-Friday 9am-5pm April 1-December 1, closed during winter.

Occasional Saturday use maybe 10 Saturdays a year

On a Sunday we would just move a truck out at the beginning of the day back in at the end of the day

### **Equipment on Premises:**

2 dump trucks

5 light duty pick-up trucks

### **Activities Performed/Workforce:**

5-10 Employees that park there and go off in our light duty trucks to job sites. They load equipment, get supplies, and do not come back until the end of the shift

99% of the day only one office employee on site to handle calls, sales, office work

### **Materials Stored on Premises:**

Store broken concrete, recycled asphalt that is then move to other job sites.

### **Vehicle Trips**

Most days we come in and out 1 x am 1x pm.

Maybe 10 days a season we will come in and out of the yard more than 5x if we are keeping the recycled asphalt or concrete from a job site.

### **Summary:**

We have way less traffic as we do not sell items frequently to the public, we install concrete or asphalt from plants that produce the material. Our sales office books appointments. Occasionally we sell recycled asphalt or concrete direct to a consumer but that would be maybe 1 person a week. Customers come to drop off checks, look at our project book, just to see our business

In general we have activity around 8am and then again at the end of the day when the trucks return and everyone goes home.

March 10, 2017

Zoning Board of Appeals  
Northfield Township  
8350 Main Street  
Whitmore Lake, MI 48189-0576

**Subject: Tammera and Michael Bollman/6404 and 6410 Whitmore Lake Road; Zoning Board Review (Application and materials not dated).**

Dear ZBA Members:

We have reviewed the above referenced ZBA application submitted by Tammera and Michael Bollman requesting an interpretation of the language in the Zoning Ordinance as it relates to Whitmore Lake North Territorial Overlay District (WLNT).

**Background.** The prospective owners of 6404 and 6410 Whitmore Lake Road (parcels B-02-29-200-003 and B-02-29-200-004, respectively) submitted a Zoning Compliance application to use the site for the following two (2) uses:

1. To operate a bulk landscape nursery and supply (wholesale, retail, and contractor); and
2. To operate a headquarters for a paving and cement contractor company.

Both parcels are located in the Agriculture (AR) zoning district and are also located in the Whitmore Lake/North Territorial (WLNT) Overlay District, which allows for some flexibility in use. Please note that although the first page of the applicant's ZBA application states that parcel -003 is zoned Limited Industrial (LI), this parcel is actually zoned AR.

Use 1 was described as a business which includes growing of greenhouse plants; mixing and sorting of sand, mulch and other landscape supplies; loading and unloading of trucks and trailers; on site minor equipment repair and office use associated with the business. Section 36-691 of the Zoning Ordinance permits contractor's wholesale supply and open air display as conditional land uses. Section 36-157(16) (AR District) permits landscape nurseries, greenhouses and landscape businesses with retail facilities, also subject to conditional use approval. Although Use 1 was described as a use taking place "1987-2014," our understanding was that this use was also proposed in the application.

Use 2 was described as a business which includes storage of broken concrete and recycled asphalt as part of a paving and cement contracting company. The WLNT and the underlying AR zoning district do not allow for a contractor's outdoor yard storage (different from outdoor display) of such materials.

Based on the above determination, On October 18, 2016, the Zoning Administrator approved the first use and denied the second use.

On November 18, 2016, the Zoning Administrator and Township Planner attended a meeting at Northfield Township Hall with the current and prospective owners to discuss the permitted and prohibited uses on the site. At this meeting, we reaffirmed that Section 36-691 of the Zoning Ordinances permits "Contractor wholesale supply" and "open air display" as conditional land uses in the WLNT District, and also that Section 36-157(16) permits landscape nurseries, greenhouses, and

landscape businesses with retail facilities as conditional land uses in the AR District subject to several conditions. During our meeting, the current and prospective owners believed that “contractor wholesale supply” and “open air display” included the proposed outdoor storage or broken concrete and recycled asphalt as part of the proposed paving and cement contracting company uses.

**Applicant’s Request.** At this time, the applicant contends that the paving contractor business is similar in nature to “electrician, plumber and similar services or trade” and is therefore permitted in the WLNT District.

The applicant states that they did not provide adequate documentation or information initially which resulted in a misinterpretation of the use proposed. It is their contention that the business works in “concrete trade” for municipal and other governmental entities and the outdoor storage of materials (e.g. dry mixes, concrete bumpers, curbs), is classified as a “specialty trade” and thereby falls into the same category as a “plumber or electrician or similar trade.”

***While the use category the applicant is seeking consideration under at this time is different than what was originally presented in the Zoning Compliance application, we stand by our determination that paving and cement contracting use is not permitted in the WLNT district.***

**Zoning Board of Appeals Request.** Section 36-936(a)(1) of the Zoning Ordinance grants the ZBA the power to hear and decide appeals of any administrative decision of any official or body on any requirement of the Zoning Ordinance. Further Section 36-940 states that the ZBA shall hear and decide appeals from any order, requirement, decision, or determination made by the Zoning Administrator in the interpretation and enforcement of the Zoning Ordinance.

**Review Comments.** The Zoning Ordinance does not have specific standards for review of administrative appeals or challenges to ordinance interpretation. Therefore, we have presented the facts and discussion based on sound planning and zoning principles for your review:

**1. What categories in the Zoning Ordinance allow for outdoor storage yards?**

The Zoning Ordinance has two (2) different clarifications of uses that involve storage yards and displays (excluding automotive display):

- a. **Contractor Wholesale Supply.** Although the Zoning Ordinances does not include a definition of “contractor wholesale supply” in the Definitions article, the use is described in more detail as follows in Section 36-340 (Uses in WLD), Section 36-391(7) (Conditional Uses in GC), and Section 36-563(3) (Permitted Uses in ES): *“Contractor wholesale supply when in conjunction with general retail sales of items, including electrical, plumbing, lumber, and/or garden supplies.”* The permitted materials listed are not consistent with outdoor storage of unfinished materials such as mass gravel, cement, concrete curbs, broken concrete, and recycled asphalt.
- b. **Open Air Display.** Although the Zoning Ordinances does not include a definition of “open air display” in the Definitions article, the use is described in more detail as follows in Section 36-391(5) (Conditional Uses in GC): *“Open air display area for the sale of manufactured products, such as or similar to garden furniture, earthenware, hardware items and nursery stock, or the rental of manufactured products or equipment, small tools, pneumatic-tired*

*two-wheeled and four-wheeled utility trailers, pneumatic-tired cement mixers, wheelbarrows, rollers and similar products or equipment. Displays must be located behind all setback lines.”* The Definitions article includes a definition of “Open Air Business,” but the definition does not include storage of concrete, paving or asphalt related products.  
***The applicant’s proposed use does not fit into either category.***

**2. Is the requested use permitted within other zoning districts in the Township?**

Yes. The proposed use of outdoor storage of concrete and paving materials is similar to a use customarily found in the Limited Industrial (LI) district. For example, the following is a conditional use in the LI District: *“Outdoor storage of materials and equipment to be used as part of the principal business, and products resulting from the principal business, subject to the requirements of sections 36-701 and 36-702.”* Additionally, the General Industrial (GI) District also permits *“concrete and asphalt mixing or production plants”* as a conditional use per Section 36-533.

***Therefore, a lawful land use is not being denied, since the Zoning Ordinance has provision for the applicant’s proposed use in other districts that are more suitable for the proposed use.***

**3. Is the use similar to a plumber, electrician or similar trade?**

No. The use category in its entirety reads *“equipment services including repair; radio and television, electrical appliance shop, plumber, electrician and other similar trades and services.”* Storing concrete and paving related supplies is in no way similar to this use category, as the uses listed typically relate to predominantly indoor use. The category is intended to cater to household level services, not industrial related operations of a large scale. Per information provided by the applicant, their business is classified by the NAICS as a “specialty trade contractor” and “heavy and civil engineering construction”.

While the NACIS rating system has no bearing on zoning classifications, the applicant’s own documentation supports the Township’s position. ***A “heavy and civil engineering construction” use is NOT the same as a “plumber, electrician or similar trade”.***

**4. What is the intent/purpose of the district, as established in the ordinance? Does the proposed use meet such intent?**

The purpose of the WLNT district is *“to promote mixed uses with an emphasis on commercial, service, office and research technology uses, and related high density residential uses consistent with the Township’s Master Plan. It is also the purpose of this district to enhance the streetscape, create pedestrian pathways and outdoor spaces, and promote high quality architecture”.* A cement, paving or contracting business that does large scale *“municipal and government projects throughout Michigan and surrounding states primarily in sidewalk, road and bridge construction,”* does not meet the intent or purpose of the district. In this case, the type of off-site client being served by the use is far less significant than the nature of the use proposed on the site itself.

***The scope and the activities involved in the applicant’s proposed use is not compatible with office, technology, residential and other such uses envisioned for the area.***

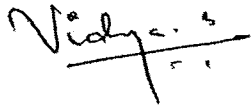


**Recommendation**

Based on the findings noted above and the information presented by the applicant, we recommend that the Zoning Board of Appeals uphold the determination made by the Zoning Administrator and the Township Planner that the proposed cement contractor/paving business is not permitted in the WLNT zoning district and does not meet the description of any of the uses permitted by right or conditional use in that district.

Respectfully submitted,

**McKENNA ASSOCIATES**

A handwritten signature in black ink, appearing to read "Vidya Krishnan", with a horizontal line drawn across the middle of the signature.

Vidya Krishnan  
Senior Planner

cc: Assessing/Building Asst. Mary Bird, Northfield Twp., 8350 Main St., Whitmore Lake, MI 48189  
Applicant/owner: Tammera and Michael Bollman, via e-mail: [TammeraMBollman@gmail.com](mailto:TammeraMBollman@gmail.com)

# NORTHFIELD TOWNSHIP ZONING BOARD OF APPEALS

## Minutes of Regular Meeting January 23, 2017

### 1. CALL TO ORDER

The meeting was called to order by Amy Steffens at 7:00 P.M. at 8350 Main Street.

### 2. PLEDGE OF ALLEGIANCE

### 3. ROLL CALL AND DETERMINATION OF QUORUM

Greg Kolecki	Present
Jacqueline Otto	Present
Stephen Safranek	Present
Amy Steffens	Present
Gary Wellings	Present
Jeff Lehrke, Alternate	Absent
(Presence not required)	

Also present:  
Recording Secretary Lisa Lemble  
Mary Bird, Assessing & Building Assistant  
Planning Consultant Vidya Krishnan  
Members of the public

### 4. ADOPT AGENDA

- **Motion:** Kolecki moved, Otto supported, that the agenda be adopted as presented.  
**Motion carried 5—0 on a voice vote.**

### 5. CORRESPONDENCE

None.

### 6. PUBLIC HEARINGS

- 6A. Case #JZBA170001; Kevin Smith and Andrea Caith; 9963 Main Street; request for variance from Section 36-902(6), Non-conforming Uses; to allow an addition and deck; Zoned HC; Parcel 02-05-222-003.
  - **Motion:** Otto moved, Kolecki supported, that the public hearing be opened.  
**Motion carried 5—0 on a voice vote.**

Sam Iaquinto, 9876 Main, said as the resident to the south he is completely in favor of this proposal. Craig Smith, South Lyon, said he is appearing for his son who is out of town.

- **Motion:** Otto moved, Kolecki supported, that the public hearing be closed.  
**Motion carried 5—0 on a voice vote.**

### 7. OLD BUSINESS

None.

### 8. NEW BUSINESS

- 8A. Case #JZBA170001; Kevin Smith and Andrea Caith; 9963 Main Street; request for permission to expand non-conforming use from Section 36-902(6), Non-conforming Uses; to allow an addition and deck; Parcel 02-05-222-003; Zoned HC.

Planning Consultant Vidya Krishnan reviewed her report dated December 30, 2016. She said the proposal meet the applicable standards for allowing a deviation from the nonconformity provisions of the ordinance. She recommended approval based on the existing structure being a legal, non-conforming structure, not allowing the expansion could be construed as causing unnecessary hardship, and the proposed additions will enhance the property and are unlikely to have adverse effects on the area as the use is reasonable for the property and consistent with other area properties.

In answer to questions, Craig Smith, father of the applicant, said there is one other house next to this property. Otto noted that the Township had been considering purchasing this property to provide public access to the lake, but decided not to because of lack of space for parking.

There was discussion of the mixture of uses in this area. Steffens asked what the ordinance would allow if the house were completely destroyed. Krishnan said the Northfield Township ordinance allows residences in all zoning districts to be rebuilt if destroyed.

- ▶ **Motion:** Safranek moved, Wellings supported, that the request in Case #JZBA170001 by Kevin Smith and Andrea Caith at 9963 Main Street, Whitmore Lake, Michigan, 48189, to construct a two-story addition on the east side of the dwelling for a kitchen-dining area (replacing an existing deck) and the addition of a new deck on the north side of the dwelling, on a Parcel with the ID#02-05-222-003, zoned HC-Highway Commercial, is approved in light of argument set forth by the planning consultant in the report dated December 30, 2016. **Motion carried 5—0 on a roll call vote.**

#### 8B. Adopt Zoning Board Meeting Schedule.

- ▶ **Motion:** Welling moved, Otto supported, that the 2017 meeting schedule for the Zoning Board of Appeals be adopted as presented. **Motion carried 5—0 on a voice vote.**

#### 8c. Election of Officers.

- ▶ **Motion:** Steffens moved, Welling supported, that Safranek serve as Chair of the Zoning Board of Appeals. **Motion carried 5—0 on a voice vote.**
- ▶ **Motion:** Steffens moved, Safranek supported, that Wellings serve as Vice-Chair of the Zoning Board of Appeals. **Motion carried 5—0 on a voice vote.**

#### 9. MINUTES

- ▶ **Motion:** Otto moved, Kolecki supported, that the minutes of the October 17, 2016, regular meeting be approved as presented. **Motion carried 5—0 on a voice vote.**

#### 10. CALL TO THE PUBLIC

No comments.

#### 11. ZBA MEMBER COMMENTS

Otto welcomed Safranek and Lehrke to the Zoning Board of Appeals. Wellings thanked Krishnan for the complete and thorough information in the Board packet.

#### 12. ANNOUNCEMENT OF NEXT MEETING

**February 27, 2016**, at 7:00 PM at the Public Safety Building was announced as the date and time of the next regular meeting of the Zoning Board of Appeals.

#### 13. ADJOURNMENT

- ▶ **Motion:** Safranek moved, Wellings supported, that the meeting be adjourned. **Motion carried 5—0 on a voice vote.**

The meeting was adjourned at 7:26 P.M.

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Prepared by Lisa Lemble.

Corrections to the originally issued minutes are indicated as follows:

Wording removed is ~~stricken through~~;  
Wording added is underlined.

Adopted on \_\_\_\_\_, 2017.

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Stephen Safranek, Chair

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Greg Kolecki, Secretary

Official minutes of all meetings are available on the Township's website at  
[http://www.twp-northfield.org/government/zoning\\_board\\_of\\_appeals/](http://www.twp-northfield.org/government/zoning_board_of_appeals/)