



## **City of New Buffalo**

**224 W. Buffalo Street**

**New Buffalo, MI 49117**

### **PLANNING COMMISSION (SPECIAL MEETING) AGENDA**

**November 16, 2021 5:00 P.M.**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Approval of Previous Minutes- September 16, 2021 and September 21, 2021
6. Public Comment
7. Old Business
8. New Business
  - a. 6 S. Willard – Re-zoning property from General Commercial District to R-1 Single Family Residential (Public Hearing)
  - b. 6 S. Willard – Re-zoning property from General Commercial District to R-1 Single Family Residential
  - c. Site Plan Review – 1 North Whittaker Street
  - d. Election of Planning Commission Chairman
11. Commissioner Comments
12. Adjournment

The Special Meeting for September 16, 2021 of the New Buffalo City Planning Commission was called to order by Chair Billingslea at 5:39 p.m.

**Pledge of Allegiance.**

**Roll Call: Present.**

Roxanne Lauer, Bill McCollum, Paul Billingslea.

**Absent:** Don Stoneburner, Mark Joseph

**Staff Present:** City Manager; Darwin Watson, City Clerk; Amy Fidler, Deputy Clerk; Nancy Griffin

**Approval of Agenda:** Motion by Lauer, seconded by McCollum to approve the agenda with moving the site plan review 2 South Franklin Street before the public hearing:

Voice Vote:

Motion Carried.

**Approval of Previous Minutes, July 13, 2021:** Motion by Lauer, seconded by McCollum to approve the Special Planning Commission Minutes from July 13, 2021:

Voice Vote:

Motion Carried.

**Public Comment:**

None

**Site Plan Review- 2 S. Franklin**

Chair Billingslea noted that the application was missing a site plan, drainage information and acknowledged the parking lot was pitched toward the street. Planning Commission needs the information before making a decision.

Motion by Lauer seconded by, McCollum to table the site plan application for construction of a new parking lot located on the property know as 2 S. Franklin Street until we receive all of the missing packet information.

**Roll Call Vote:**

Ayes: Lauer, McCollum, Billingslea

Nays:

Absent: Joseph, Stoneburner

Abstain:

Motion Carried, 3-0

**Public Hearing**

- a. Ordinance to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo zoning ordinance

Chair Billingslea opened the public hearing to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo zoning ordinance

Joanne Moskovic  
Diane Gajos  
Kristen Hall  
Cynthia Marquard  
Bill Logothetis  
Jason Milovich  
Heather Gradowski  
John Natisis  
Dan Hatch  
Karen Doughty  
Eileen Doherty Piechocki  
Mary Rose Denton  
William Lenga  
Sharyn O'Mara  
Audrey Tuszynski  
Jess Bryar  
Gerry Gajos  
Bart Goldberg  
Sharon Kelly  
Edan Gelt  
Laura Murray  
Enza Raineri  
Ryan Nofziger  
Adam Tynowski  
Betty Biernacki  
Dan Coffey  
Donna Messinger

Chair Billingslea closed the public hearing to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo zoning ordinance.

### **New Business**

Ordinance to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo zoning ordinance

Planning Commissioners discussed the proposed ordinance to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo zoning ordinance. City Attorney, Nick Curcio clarified the introduced revision as an alternative to prohibiting in districts R1, R2, and R3. The

introduced revision narrowed the restriction by removing districts R2 and R3. The proposed amendment would leave R1 as the prohibited district. In addition, the revision recommended periodic reports to the planning commission, of the number of short-term rentals in the ordinance. Suggested evaluation potentially every two years.

City Attorney Curcio encouraged the Planning Commission to take an up or down vote, rather than voting to table the measure as a delay could prevent the city council from acting timely and put a policy in place with the moratorium set to expire November 1, 2021. Attorney Curcio also advised; this is not the first time an ordinance has been brought before the Planning Commission.

City Litigation Counsel Matt Zalewski stated he had nothing specific to add and Attorney Curcio did an excellent summary.

Motion by McCollum seconded by, Lauer to table the proposed resolution until next week.

**Roll Call Vote:**

Ayes: McCollum, Lauer, Billingslea

Nays:

Absent: Stoneburner, Joseph

Abstain:

Motion Carried, 3-0.

**Commissioner Comment:**

Commissioner McCollum made comments on enforcement, and review fee structure.

Chair Billingslea made comments on coming to some resolution on an ordinance.

Commissioner Lauer commented on short-term rental process.

**Adjournment:** Motion by McCollum, seconded by Lauer to adjourn the meeting at 7:50 p.m.

Voice Vote:

Motion Carried.

af

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Paul Billingslea, Chair

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Amy Fidler, City Clerk



The Special Meeting for September 21, 2021 of the New Buffalo City Planning Commission was called to order by Chair Billingslea at 6:31 p.m.

**Pledge of Allegiance.**

**Roll Call: Present.**

Roxanne Lauer, Bill McCollum, Don Stoneburner, Mark Joseph, Paul Billingslea.

**Staff Present:** City Manager; Darwin Watson, City Clerk; Amy Fidler, Deputy Clerk; Nancy Griffin, Code Enforcement Officer Gail Grosse, City Attorney; Nick Curcio

**Approval of Agenda:** Motion by Lauer, seconded by Joseph to approve the agenda with the addition of going into closed session under Section 15.268(h) of the Open Meetings Act to discuss a confidential attorney-client privileged memorandum:

**Roll Call Vote:**

Ayes: Lauer, Joseph, McCollum, Stoneburner, Billingslea

Nays:

Absent:

Abstain:

Motion Carried, 5-0.

**New Business**

Closed Session – Motion by Joseph, seconded by Billingslea to approve going into closed session under Section 15.268(h) of the Open Meetings Act to discuss a confidential attorney-client privileged memorandum at 6:34 p.m.:

**Roll Call Vote:**

Ayes: McCollum, Lauer, Stoneburner, Joseph, Billingslea

Nays:

Absent:

Abstain:

Motion Carried, 5-0.

Chair Billingslea announced the that the closed session was over at 7:03 p.m. and the board was returning to the open session.

Motion by Lauer seconded by, Stoneburner to propose to amend sections 2-3, 6-2, 7-2, and 8-2, and add a new section 20-8 to the New Buffalo Zoning Ordinance to prohibit new short-term rentals in the R1, R2 and R3 zoning district:

**Roll Call Vote:**

Ayes:

Nays: Stoneburner, Lauer, McCollum, Joseph, Billingslea

Absent:

Abstain:

Motion Failed, 5-0.

Motion by McCollum seconded by, Stoneburner to propose to amend sections 2-3, 6-2, and add a new section 20-8 to the New Buffalo Zoning Ordinance to prohibit new short-term rentals in the R-1 zoning district:

**Roll Call Vote:**

Ayes: McCollum

Nays: Lauer, Joseph, Stoneburner, Billingslea

Absent:

Abstain:

Motion Failed, 4-1.

**Public Comment**

Diane Gajos

Dine Pyshos

Gerry Gajos

Jason Milovich

Heather Gradowski

Dan Coffey

Mike Schimanski

Dan Ruby

Joanne Moskovic

Alex Moskovic

Jess Bryar

Dan Hatch

Sharon Kelly

Bill Logothetis

Dan Skoczylas

Bart Goldberg

Mary Rose Denton

Susan Thorner

**Commissioner Comment:** Members Stoneburner apologized that he wasn't at last meeting due to being quarantined. Member Stoneburner thanked the City Clerk for forwarding all the emails to the planning commission members.

**Correspondence:** All emails sent to the City Clerk were forwarded on to the planning commission members prior to the meeting.

**Adjournment:** Motion by Billingslea, seconded by Joseph to adjourn the meeting at 8:18 p.m.

Voice Vote

Motion Carried.

af

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Paul Billingslea, Chair

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Amy Fidler, City Clerk



## City of New Buffalo

### Site Plan Staff Report

**Hearing Date:** November 16<sup>th</sup> 2021 5pm

**Project Number:** PZ21-0002

**Applicant:** Damon Marano, 3000 S. Ashland, Chicago, IL 60608

**Subject Property Address** 1 N. Whittaker Street, New Buffalo, MI 49117

**Nature of the Request:** Site Plan request for Restaurant.

**Zoning District:** CBD "Central Business District"

### OVERVIEW

The applicant is Damon Marano, of 1 N. Whittaker, New Buffalo, MI 49117. The applicant requests Site Plan approval for a proposed Restaurant at this location. City of New Buffalo Zoning in the Central Business District allows for Restaurants by right. Section 10-2 #19.

This location was presented to Planning Commission in February of 2021 for a special use permit for outside seating by another applicant. That special use permit for outside seating was granted and stays with the property. This current and new site plan application is NOT requesting any outside seating, however its available if any future request is made.

This location, 1 N Whittaker Street current tenant is Pharmacy. Building to be renovated for several future tenants. All appropriate construction permits would be required, and all zoning pertaining to parking, lighting, dumpster location, etc. will be required, and must be approved by the Building Official.

**Recommendation:** Upon review of the application materials, validation of the facts reported, site inspection and evaluation of each of the criteria required for review and noted in this staff report, it is the recommendation of the Zoning Administrator that planning commission has all the information supplied to render discission.

Respectfully submitted,  
Ted Hanson  
Building Official  
City of New Buffalo



## Section 10-1 Intent and purpose.

This district is intended to provide convenience retail and services, specialty retail, tourist-oriented retail and services, entertainment establishments, and professional offices in a concentrated, but well-designed manner. This district is intended to serve the local residents as well as the vacationing or visiting public.

## Section 10-2 Uses permitted by right and special use permit.

[Amended 2-19-2008 by Ord. No. 175; 9-22-2008 by Ord. No. 177; 2-2-2012 by Ord. No. 184]

Land or buildings in the CBD District may be used for the following uses "by right" or by "special use permit" as identified. Those uses permitted by special use permit shall be reviewed in accordance with provisions contained in Article 17.

Land Use	Permitted by Right	Special Use
<b>GROCERY, FOOD STUFFS, PHARMACIES AND RELATED USES</b>		
1. Grocery store	X	
2. Convenience store selling foods, without gasoline sales	X	
3. Specialty food stores including: meat market, bakery, produce, candy/nuts, and health food store	X	
4. Bulk food sales (retail)	X	
5. Pharmacy (without drive-through service)	X	
6. Pharmacy (with drive-through service)		X
7. Medical supplies	X	
8. Liquor sales	X	
<b>AUTOMOTIVE, GASOLINE, AND MARINE SALES AND SERVICE</b>		
9. Automotive parts		X
10. Marine supplies (not including watercraft sales and service)	X	
11. Marine supplies (including watercraft sales and service)		X
<b>OFFICES</b>		
12. Executive, professional, and administrative offices	X	
13. Medical offices, out-patient clinics, and emergency medical center		X
14. Real estate and insurance	X	
15. Veterinary office (but not including outdoor kennels, run, or exercise facilities)	X	
16. Government and community service facility (but not including penal institutions, halfway houses, work release facilities, or facilities of a similar character)	X	
17. Financial institutions including: banks, credit unions, savings and loan, mortgage, stock brokerage, and investments, but without drive-through facilities	X	
18. Financial institutions including: banks, credit unions, savings and loan, mortgage, stock brokerage, and investments, with drive-through facilities		X
<b>RESTAURANTS, LOUNGES, BARS, AND PUBS</b>		
19. Restaurants, cafes, coffee shops and ice cream shops (without drive-through service)	X	
20. Outdoor seating/service		X
21. Bars, lounges, or pubs (not including adult entertainment)	X	
<b>GENERAL AND SPECIALITY RETAIL AND PERSONAL SERVICES</b>		
22. Sporting goods (not including recreational vehicle sales and service)	X	
23. Bait shops	X	
24. General merchandise stores limited to new merchandise and entirely within an enclosed building (includes department and variety stores)	X	
25. Used retail merchandise sales conducted entirely within an enclosed building and handling product lines classified as antiques, used, secondhand, surplus or factory seconds		X
26. Stores selling small appliances, computers/software, office equipment, camera/photo supplies, and electronics	X	
27. Personal services including: hair salons, beauty/barber shops, florists, health and fitness clubs, photographic studios, travel agencies, locksmith, tax services, video rental (non-adult), dry cleaners (non-industrial), pet grooming and commercial day care	X	
28. Massage services		X

City Staff  
Use Only

Project Name  
Project Number  
Review Fee Paid  
Escrow Fee Paid

**APPLICATION TO: PLANNING COMMISSION ZONING BOARD OF APPEALS**

224 W Buffalo St, New Buffalo, MI 49117 City Hall: 269-469-1500 Building Dept: 269-469-7144 Facsimile: 269-469-7917

Instructions: Fill-in all blanks and 'X' applicable boxes ( ). Incomplete applications cannot be processed.

**I. Applicant and Owner Information****A) Applicant(s) principal contact:**

Name

Address

Telephone

email

**E) Property owner(s) principal contact:**

Name

Address

Telephone

email

**B) Applicant(s) secondary contact:**

Name

Address

Telephone

email

**F) Architect (if applicable):**

Name

Address

Telephone

email

**C) Agent or Attorney (if applicable):**

Name

Address

Telephone

email

**G) Engineer (if applicable):**

Name

Address

Telephone

email

D) Is the property held in Trust\*:

Yes - Answer below

☒ No

- Skip below

Name of Trust \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

email \_\_\_\_\_

H) Applicant is (circle one):

☒ Property owner

☐ Attorney

☐ Agent

☐ Engineer

☐ Other: \_\_\_\_\_

\* Trusts: Provide an attached statement from the trustee verifying the names of all the beneficial owners.

Proceed to Next Page

**II. Purpose of Application**

A) This application is a request for the following action:

Rezoning of Property

Subdivision Approval

Site Plan Approval

Rezoning Amendment

Variance(s) Approval

Special Use Approval

Lot Split – Subdivision or Land Division

Other: \_\_\_\_\_

B) The reasons for the requested action(s) are as follows:

REVISION TO PREVIOUSLY APPROVED SITE  
PLAN

NO SET BACK FROM PROPERTY LINE

BUDG FOOTPRINT IS NOT TO CHANGE

C) The specific section(s) of the City Zoning Ordinance or City General Ordinances which addresses the amendment, variance, or other action which is being requested:

N/A

D) The following two questions are only for applications which contain a request for a zoning variance:

1. Are the conditions which prevent the development of the property the result of action by an individual who has or had a property interest in the subject property: Yes ☐ No ☒

2. If the conditions were self-imposed (not hardship), explain why the variance should be granted:

NA



**III. Site and Surrounding Property Information**

A) Common address or property location of subject property:

1 N. WHITTAKER

B) Legal description (attach an additional sheet if necessary):

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

C) Permanent Real Estate Tax Identification Number: \_\_\_\_\_

D) Parcel Size:

34,924- Square feet  
.80 Acres  
264.38 Dimension of lot frontage  
132 Dimension of lot depth

E) What are the current land uses and zoning on the property and the adjoining properties:

	Current zoning	Current land use
1. On Site:	<u>CBD</u>	<u>COMMERCIAL</u>
2. Adjoining property:		
a) North of Site		<u>PARKING LOT / COMM</u>
b) South of Site		<u>PARKING LOT / COMM</u>
c) East of Site		<u>COMMERCIAL</u>
d) West of Site	<u>✓</u>	<u>COMMERCIAL + 1 APT.</u>

F) Describe any existing structures or other improvements and physical attributes of the site:

EXISTING STRUCTURE TO REMAIN

**IV. Description of the Proposed Development**

A) Please describe the proposed use of the land and/or building assuming approval of the request:

EXISTING BUILDING TO CONTAIN 4 COMMERCIAL SPACES: PHARMACY,  
REALTOR, RESTAURANT + 1 RETAIL SPACE

B) What is the proposed time frame for the build-out of this development: 2021 - 2022

C) For each intended use please fill-in the number of buildings, square footage of each building, the total square footage of the development, and the required number of parking spaces; as well as the number and size of the water and the sewer connections:

Building Use	Number of Buildings	Building Area (sq ft)	Total Building (sq ft)	Required Parking Spaces	Water Connections and Sizes	Sewer Connections and Sizes
Single Family R-1						
Two Family R-2						
Multi-Family R-3						
Central Business CBD	1	15,000	15,000	186		
Gen. Commercial GCD						
Waterfront Marina WM						
General Industrial I-1						
<b>TOTAL</b>		15000	15,000	186		

D) If this application is for a development please provide information concerning the amount of traffic and the proposed road configuration it will have:

- 1) Average daily traffic count for the proposed development: \_\_\_\_\_
- 2) Peak traffic flow count for the proposed development: \_\_\_\_\_
- 3) How many lineal feet of roadway is proposed to be developed: \_\_\_\_\_
- 4) How many cul-de-sacs will be constructed as part of this project: \_\_\_\_\_
- 5) How many curb cuts to City, County or State roads are proposed: \_\_\_\_\_

E) Does the request contemplated in this application concern any hazardous materials:

No

Yes – describe the type and quantity of materials (attach extra pages if necessary):

**V. Attachments**

- A) ✓ Plat of Survey with legal description.
- B) ✓ Site plan of proposed use of project showing traffic patterns, parking locations and court, drainage patterns including detention areas, landscaping plans, exterior lighting locations and illumination pattern, building facade portrait and building size and location dimensions.
- C) \_\_\_\_\_ Floodplain map (engineer's drawing or FEMA map showing location of subject property).
- D) \_\_\_\_\_ Application fee in the amount of \$\_\_\_\_\_.
- E) N/A High Risk Dune Area Designation and/or Soil Conservation Analysis (if applicable).
- F) \_\_\_\_\_ Application for permits (specify type):
- 1) Michigan DOT \_\_\_\_\_
  - 2) County Road Commission \_\_\_\_\_
  - 3) County Health Department \_\_\_\_\_
  - 4) State Dept. of Public Health \_\_\_\_\_
  - 5) Michigan DEQ \_\_\_\_\_
  - 6) Others \_\_\_\_\_
- G) \_\_\_\_\_ Sand Dune Permit for Construction (if applicable).

**VI. Additional Information** - Please describe the reasons this petition should be granted and include any additional comments or pertinent information (attach additional pages if necessary):

PREVIOUS APPROVAL SHOWED A DESIGN THAT REMOVED  
A 13' x 80' SECTION OF THE FRONT OF THE BUILDING.

CURRENT DESIGN LEAVES THE EXISTING FOOTPRINT OF  
BUILDING INTACT (NO CHANGE TO EXISTING)

**VII. Signature and Declaratory Statement**

- A) Required attendance at public hearing(s) and/or meeting(s): The Planning Commission and Zoning Board of Appeals (ZBA) have established a policy requiring the applicant or a designated representative of the applicant to be present at any meeting or public hearing at which their application is to be considered. Failure of the applicant or designee of the applicant to appear may postpone consideration of the application by the Planning Commission or ZBA.

## B) Declaratory Statement:

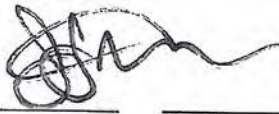
I, DAMON MARANO, hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the required attendance of the applicant as set forth in paragraph A above. I furthermore grant permission for identified members of the City of New Buffalo's Planning Commission or Zoning Board of Appeals to visit the site(s) referenced in this application.

C) Applicant Signature: Damon Marano Date: 10/11/21

## D) Notary Public Certification Statement:

I, Jason Nitti, Notary Public in and for the State of Michigan this 11<sup>th</sup> day of October, 2021 the above captioned applicant appeared before me and under oath, stated that all matters contained in this application are true.

My commission expires: 2/4/23


**VIII. City Staff Review**

- A) Fire Department approval of Site and Building Plans, except for single family dwellings: This application and associated documentation must be reviewed by the Fire Chief or his designee, which can be arranged by calling the Fire Department: 269-469-4993.

Review Date: 11-2-21

Approval: Yes No Signature: Chris Hansen

Conditions: Attached None Title: Fire Chief

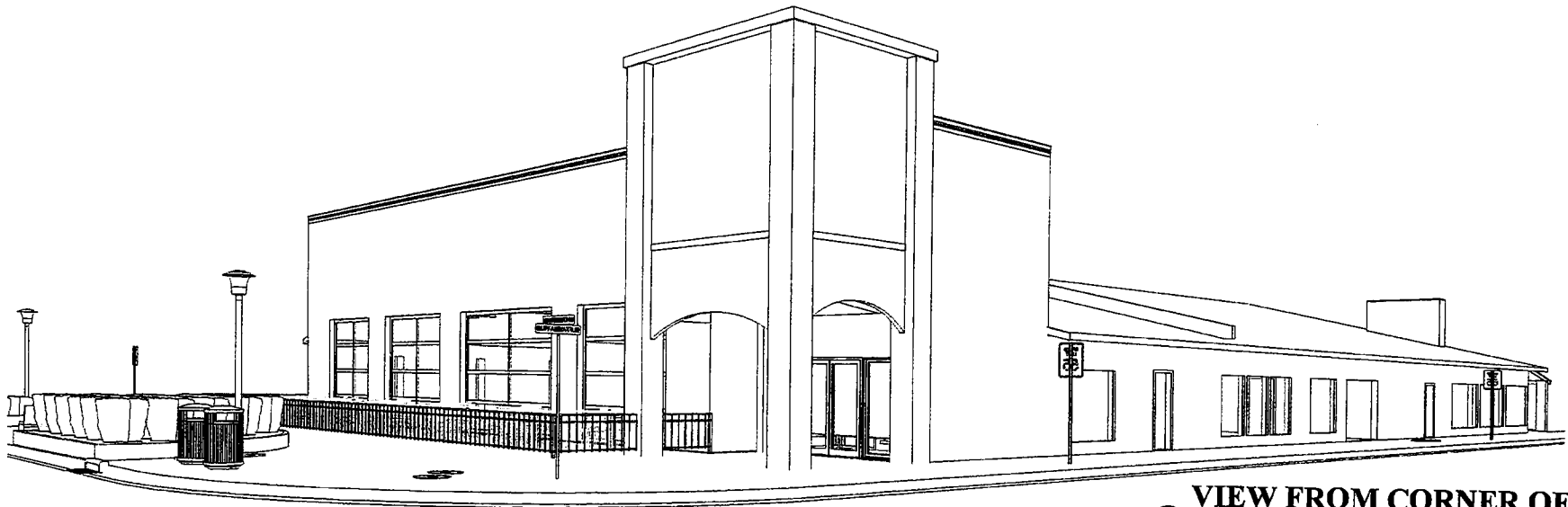
- B) Note to applicant: The original application must be filed in the Office of the Zoning Administrator, where the following signatures are required for verification that this is a complete and valid application to be considered by the Planning Commission or the Zoning Board of Appeals.

Building Inspector: [Signature] Date: 11-1-21

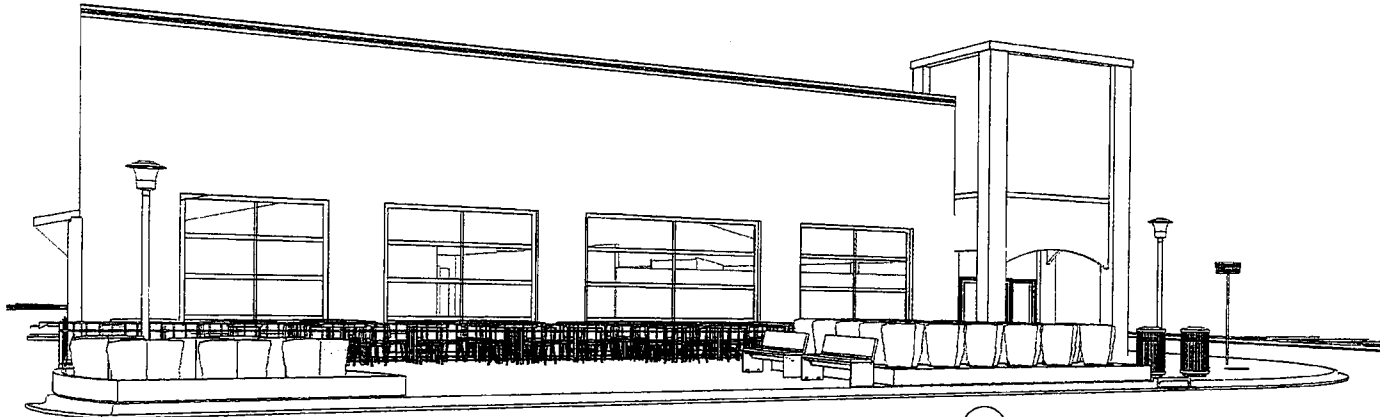
Zoning Administrator: [Signature] Date: 11-1-21

Initial meeting date: Nov 16, 2021

Ted Hansen



**VIEW FROM CORNER OF  
① WHITTAKER/BUFFALO ST.**



**② VIEW FROM WHITTAKER ST.**

Architect  
**William O. McCollum**  
16109 Red Arrow Hwy.  
Union Pier, MI 49129  
phone: (312) 558-7008  
fax: (269) 469-9219  
<http://www.mccollumarchitects.com>

**1 NORTH WHITTAKER ST.**  
NEW BUFFALO, MI 49117

REVISIONS	
COUNCIL MTG	02/16/21
CITY COUNCIL	03/12/21
PLAN	04/19/21
COMMISSION	

Job Number: # 2472  
Drawn by: Marisa Heredia-Kidder

**3-D VIEWS**

**A-8**

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McCollum Architects.



McCOLLUM ARCHITECTS

HORIZON BANK  
MICHIGAN CITY, IN 46360

71-732/712

10/12/21.

PAY  
TO THE  
ORDER OF

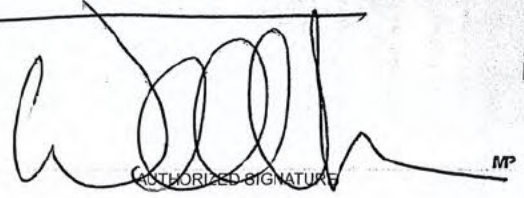
CITY OF NEW BUFFALO  
THREE HUNDRED FIFTY

\$ 350<sup>00</sup>

DOLLARS

MEMO

I N. WATKINS / PLW Commission.

  
AUTHORIZED SIGNATURE

McCOLLUM ARCHITECTS

McCOLLUM ARCHITECTS

5223

COPY



Architect  
**William O. McCollum**  
16109 Red Arrow Hwy.  
Union Pier, MI 49129  
phone: (312) 550-7008  
fax: (269) 469-9219  
bill@mccollumarchitects.com

**1 NORTH WHITTAKER ST.**  
NEW BUFFALO, MI 49117

REVISIONS	
COUNCIL MTG	02/16/21
CITY COUNCIL	03/12/21
PLAN COMMISSION	04/24/21

Job Number: # 2073  
Drawn by: Mateja Horonic-Kidder

**1ST FLOOR PLAN**

**A-4**

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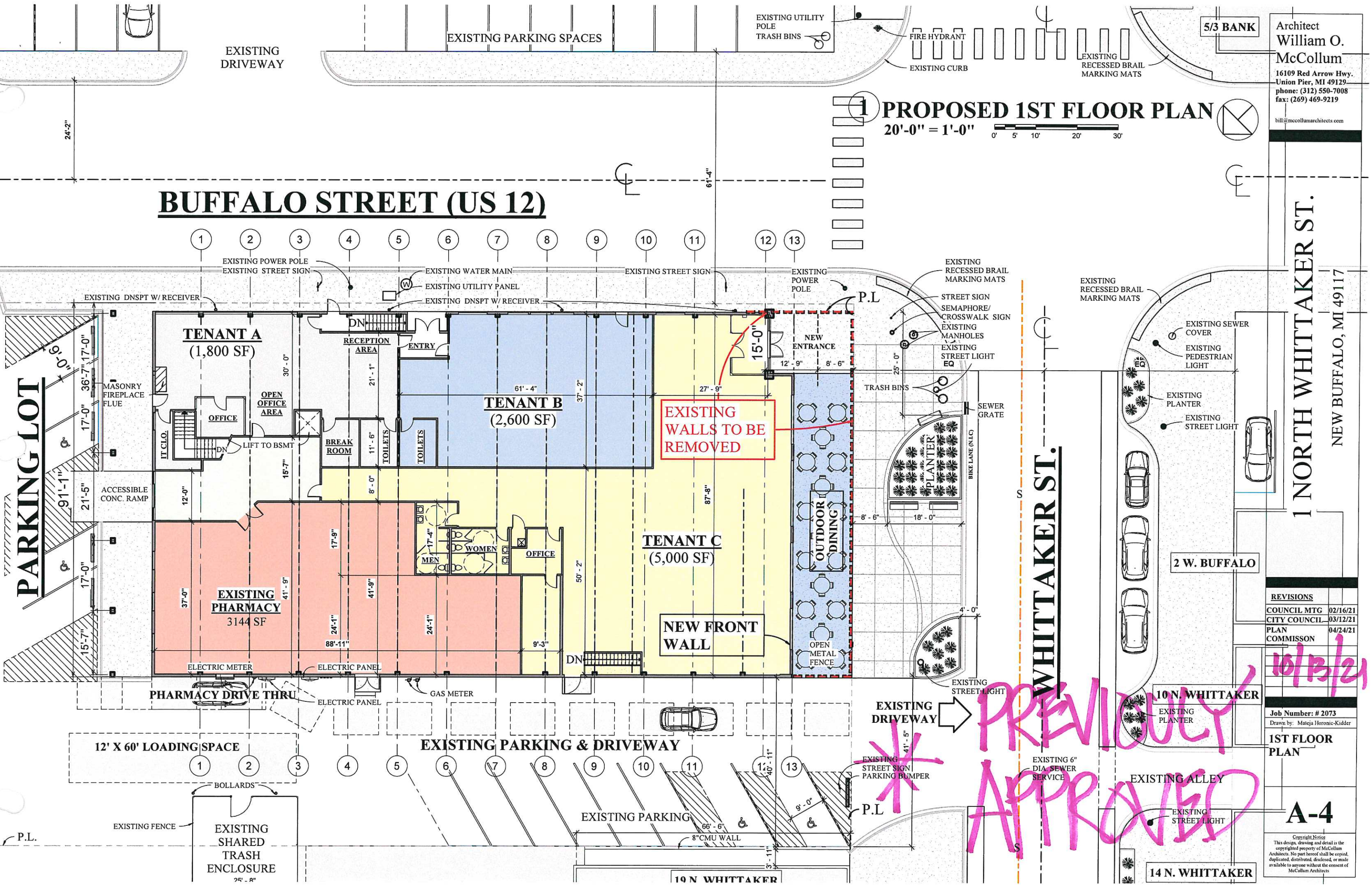
# PROPOSED 1ST FLOOR PLAN

20'-0" = 1'-0" 0' 5' 10' 20' 30'

## BUFFALO STREET (US 12)

## PARKING LOT

## WHITTAKER ST.



**PREVIOUSLY APPROVED**



**1 NORTH WHITTAKER ST.**  
 NEW BUFFALO, MI 49117

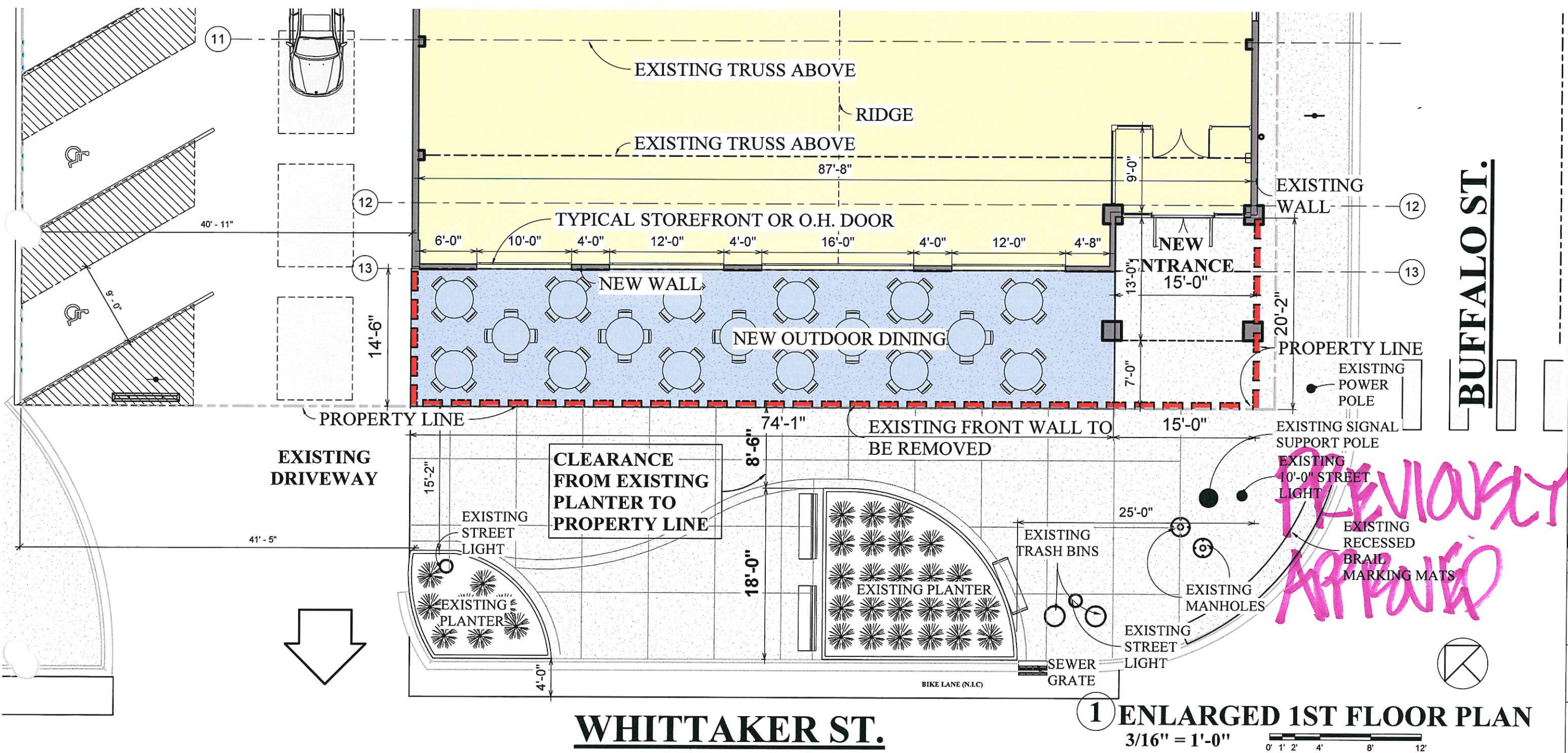
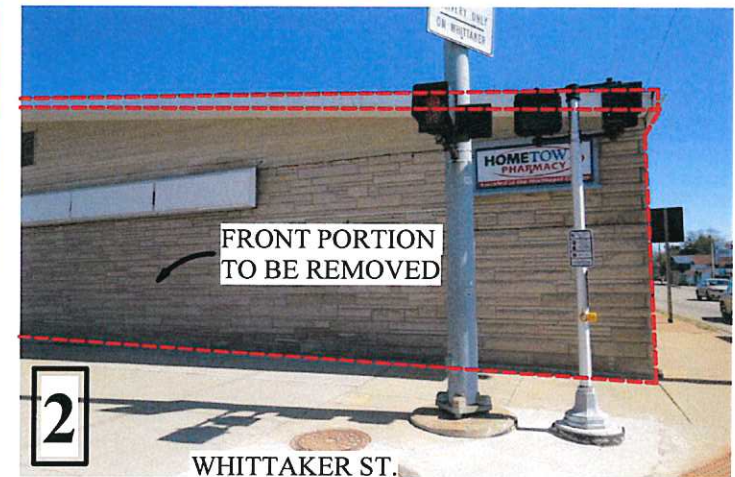
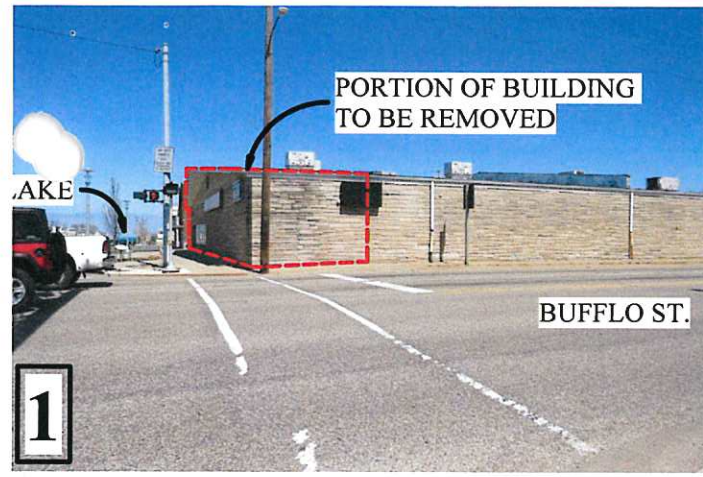
REVISIONS	
COUNCIL MTG	02/16/21
CITY COUNCIL	03/12/21
PLAN COMMISSION	04/24/21
<b>PREVIOUSLY APPROVED 10/13/21</b>	

Job Number: # 2073  
 Drawn by: Mateja Horonie-Kidder

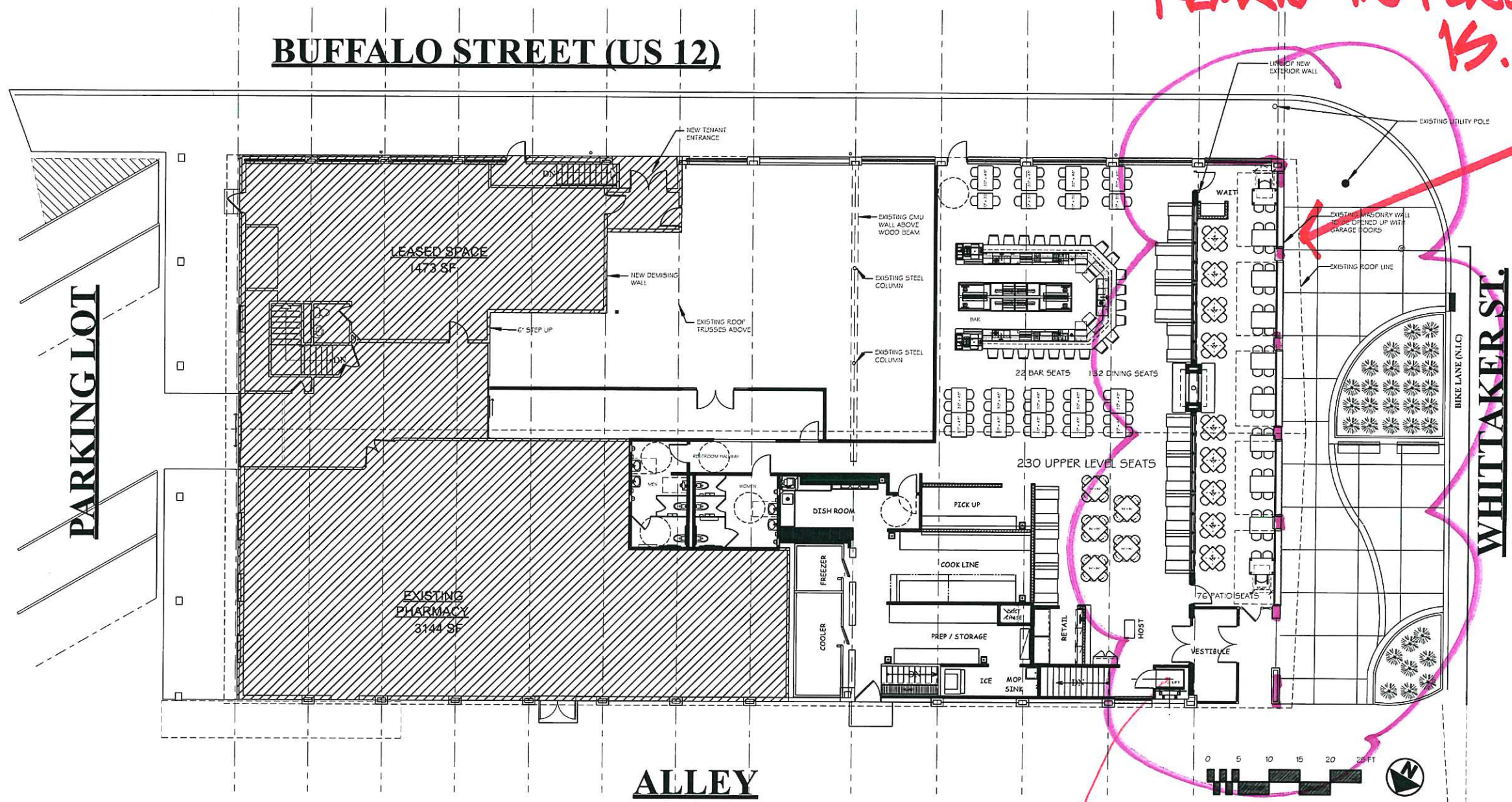
**ENLARGED 1ST FLOOR PLAN**

**A-5**

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EXISTING FACADE TO  
REMAIN IN PLACE AS  
IS.

ALUMINUM  
LIFT.

PROPOSED

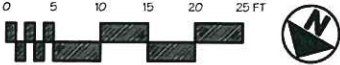
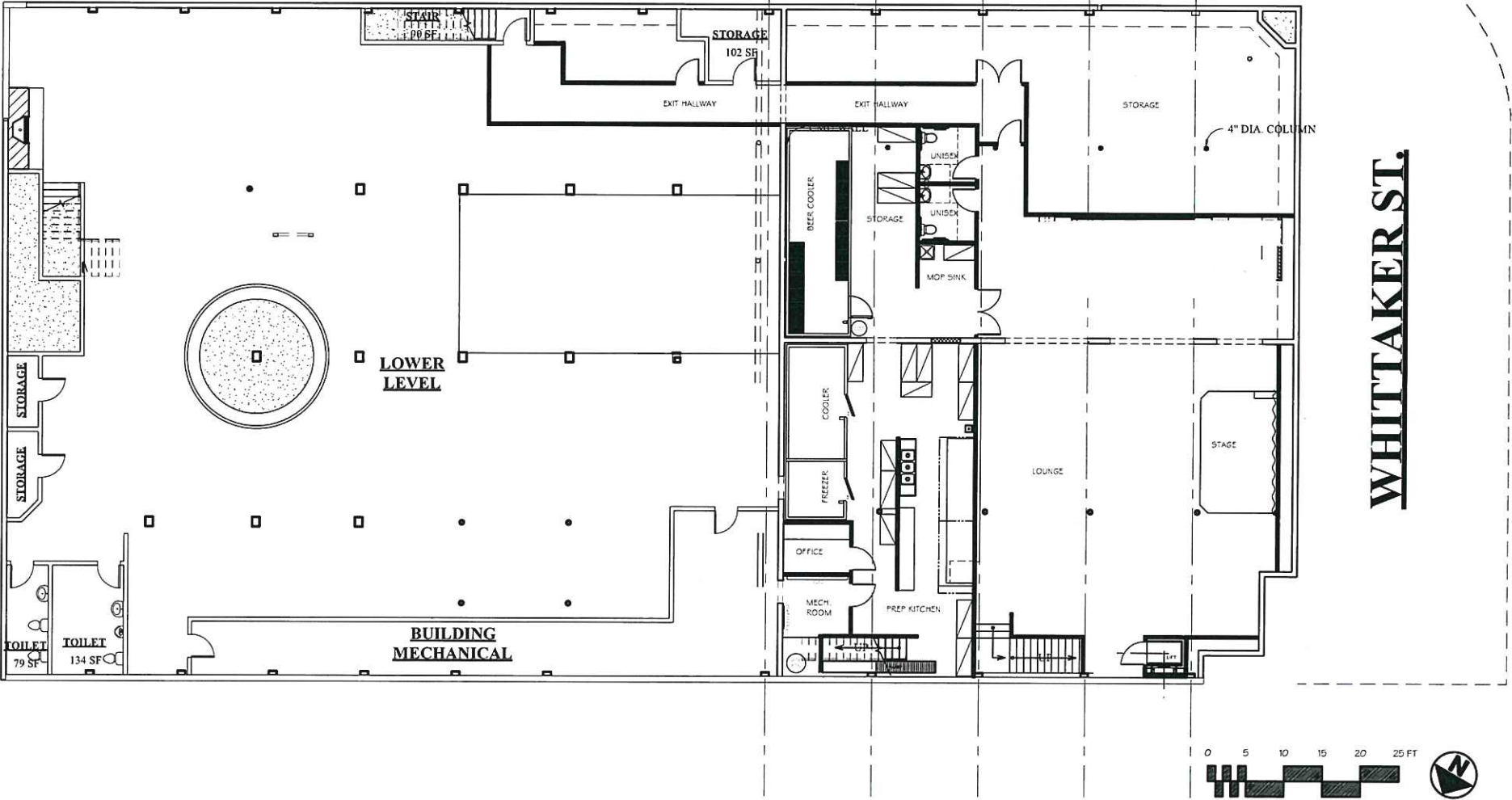
10/13/21

1ST FLOOR PLAN



**BUFFALO STREET (US 12)**

OUTLINE OF EXISTING  
SIDEWALK ABOVE



**WHITTAKER ST.**

BASEMENT PLAN

*PROPOSED*  
*10/13/21*





COLOR VARIATIONS - FRONT VIEW

PROPOSED  
10/13/21







ARIAL CORNER VIEW

PROPOSED  
10/13/21





FRONT ELEVATION VIEW

PROPOSED  
10/13/21



City Staff  
Use OnlyProject Name  
Project Number  
Review Fee Paid  
Escrow Fee Paid

RECEIVED

OCT 27 2021

CITY OF NEW BUFFALO

APPLICATION TO: PLANNING COMMISSION ZONING BOARD OF APPEALS

224 W Buffalo St, New Buffalo, MI 49117 City Hall: 269-469-1500 Building Dept: 269-469-7144 Facsimile: 269-469-7917

Instructions: Fill-in all blanks and 'X' applicable boxes ( ). Incomplete applications cannot be processed.

**I. Applicant and Owner Information**

A) Applicant(s) principal contact:

Name

Adam Bowden

Address

6 S. Willard St  
New Buffalo, MI 49117

Telephone

email

E) Property owner(s) principal contact:

Name

Address

Telephone

email

B) Applicant(s) secondary contact:

Name

Tricia Bowden

Address

6 S. Willard St.  
New Buffalo, MI 49117

Telephone

email

F) Architect (if applicable):

Name

Address

Telephone

email

C) Agent or Attorney (if applicable):

Name

Address

Telephone

email

G) Engineer (if applicable):

Name

Address

Telephone

email

D) Is the property held in Trust\*:

Yes - Answer below

No - Skip below

H) Applicant is (circle one):

Property owner

Attorney

Agent

Engineer

Other: \_\_\_\_\_

Name of Trust \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

email \_\_\_\_\_

\* Trusts: Provide an attached statement from the trustee verifying the names of all the beneficial owners.

Proceed to Next Page

**II. Purpose of Application**

A) This application is a request for the following action:

Rezoning of Property

Subdivision Approval

Site Plan Approval

Rezoning Amendment

Variance(s) Approval

Special Use Approval

Lot Split – Subdivision or Land Division

Other: \_\_\_\_\_

B) The reasons for the requested action(s) are as follows:

Presently, the property is Zoned General Commercial District, and we are asking to be Re-Zoned - R-1 Property. This property sits in an R-1 community and has R-1 neighbors.

C) The specific section(s) of the City Zoning Ordinance or City General Ordinances which addresses the amendment, variance, or other action which is being requested:

Section 20-1 Intent  
 Sec. 20-2 Nonconforming Lots  
 Sec. 20-4 Nonconforming Structures

D) The following two questions are only for applications which contain a request for a zoning variance:

- Are the conditions which prevent the development of the property the result of action by an individual who has or had a property interest in the subject property: Yes ☐ No ☒
- If the conditions were self-imposed (not hardship), explain why the variance should be granted:



**III. Site and Surrounding Property Information**

A) Common address or property location of subject property:

6 So. Willard St.  
New Buffalo, MI 49117

B) Legal description (attach an additional sheet if necessary):

C) Permanent Real Estate Tax Identification Number: \_\_\_\_\_

D) Parcel Size:

14,505 Square feet  
.333 Acres  
111 ft. Dimension of lot frontage  
130 ft. Dimension of lot depth

E) What are the current land uses and zoning on the property and the adjoining properties:

	Current zoning	Current land use
1. On Site:	<u>G CD</u>	<u>Residential S.F.H.</u>
2. Adjoining property:		
a) North of Site	<u>G CD</u>	<u>Horizon Bank</u>
b) South of Site	<u>R-1</u>	<u>Single Family Home</u>
c) East of Site	<u>G CD</u>	<u>Single Family Home</u>
d) West of Site	<u>G CD</u>	<u>Parking Lot</u>

F) Describe any existing structures or other improvements and physical attributes of the site:

1 - Free Standing Garage

**IV. Description of the Proposed Development**

A) Please describe the proposed use of the land and/or building assuming approval of the request:

Single Family Home ~~R-1~~ R-2 Property

B) What is the proposed time frame for the build-out of this development \_\_\_\_\_

C) For each intended use please fill-in the number of buildings, square footage of each building, the total square footage of the development, and the required number of parking spaces; as well as the number and size of the water and the sewer connections:

Building Use	Number of Buildings	Building Area (sq ft)	Total Building (sq ft)	Required Parking Spaces	Water Connections and Sizes	Sewer Connections and Sizes
Single Family R-1						
Two Family R-2						
Muulti-Family R-3						
Central Business CBD						
Gen. Commercial GCD						
Waterfront Marina WM						
General Industrial I-1						
TOTAL						

D) If this application is for a development please provide information concerning the amount of traffic and the proposed road configuration it will have:

1) Average daily traffic count for the proposed development: N/A

2) Peak traffic flow count for the proposed development: N/A

3) How many lineal feet of roadway is proposed to be developed: N/A

4) How many cul-de-sacs will be constructed as part of this project: N/A

5) How many curb cuts to City, County or State roads are proposed: N/A

E) Does the request contemplated in this application concern any hazardous materials:

No

Yes – describe the type and quantity of materials (attach extra pages if necessary):

**V. Attachments**

- A) \_\_\_\_\_ Plat of Survey with legal description.
- B) \_\_\_\_\_ Site plan of proposed use of project showing traffic patterns, parking locations and court, drainage patterns including detention areas, landscaping plans, exterior lighting locations and illumination pattern, building facade portrait and building size and location dimensions.
- C) \_\_\_\_\_ Floodplain map (engineer's drawing or FEMA map showing location of subject property).
- D) X Application fee in the amount of \$ 350.00.
- E) \_\_\_\_\_ High Risk Dune Area Designation and/or Soil Conservation Analysis (if applicable).
- F) \_\_\_\_\_ Application for permits (specify type):
- 1) Michigan DOT \_\_\_\_\_
  - 2) County Road Commission \_\_\_\_\_
  - 3) County Health Department \_\_\_\_\_
  - 4) State Dept. of Public Health \_\_\_\_\_
  - 5) Michigan DEQ \_\_\_\_\_
  - 6) Others \_\_\_\_\_
- G) \_\_\_\_\_ Sand Dune Permit for Construction (if applicable).

**VI. Additional Information** - Please describe the reasons this petition should be granted and include any additional comments or pertinent information (attach additional pages if necessary):

*This property has been lived in by my family since it was built in 1926. My current family who lives here will be living here for the rest of our lives. Our family is a positive addition to the community and wants to make our corner of the world a better place to live and enjoy. Please help us keep this home a home. The surrounding city lots are an R-1 community. My family would like to join that Residential-1 Family.*

*Thank you,*

*The Boudens*

**VII. Signature and Declaratory Statement**

A) Required attendance at public hearing(s) and/or meeting(s): The Planning Commission and Zoning Board of Appeals (ZBA) have established a policy requiring the applicant or a designated representative of the applicant to be present at any meeting or public hearing at which their application is to be considered. Failure of the applicant or designee of the applicant to appear may postpone consideration of the application by the Planning Commission or ZBA.

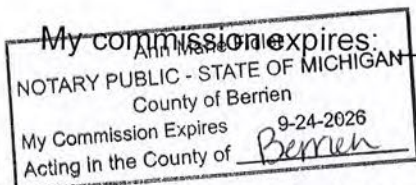
B) Declaratory Statement:

I, Adam Bowden, Teicia Bowden hereby certify that all information contained in this application and accompanying documentation is true and correct to the best of my knowledge and further, I acknowledge the required attendance of the applicant as set forth in paragraph A above. I furthermore grant permission for identified members of the City of New Buffalo's Planning Commission or Zoning Board of Appeals to visit the site(s) referenced in this application.

C) Applicant Signature: Teicia Bowden Date: 10-27-21

D) Notary Public Certification Statement:

I, Ann Marie Fidler, Notary Public in and for the State of Michigan this 27<sup>th</sup> day of October, 2021 the above captioned applicant appeared before me and under oath, stated that all matters contained in this application are true.

**VIII. City Staff Review**

A) Fire Department approval of Site and Building Plans, except for single family dwellings: This application and associated documentation must be reviewed by the Fire Chief or his designee, which can be arranged by calling the Fire Department: 269-469-4993.

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

Approval: Yes No Signature: N/A

Conditions: Attached None Title: \_\_\_\_\_

B) Note to applicant: The original application must be filed in the Office of the Zoning Administrator, where the following signatures are required for verification that this is a complete and valid application to be considered by the Planning Commission or the Zoning Board of Appeals.

Building Inspector: [Signature]

Date: 11-1-21

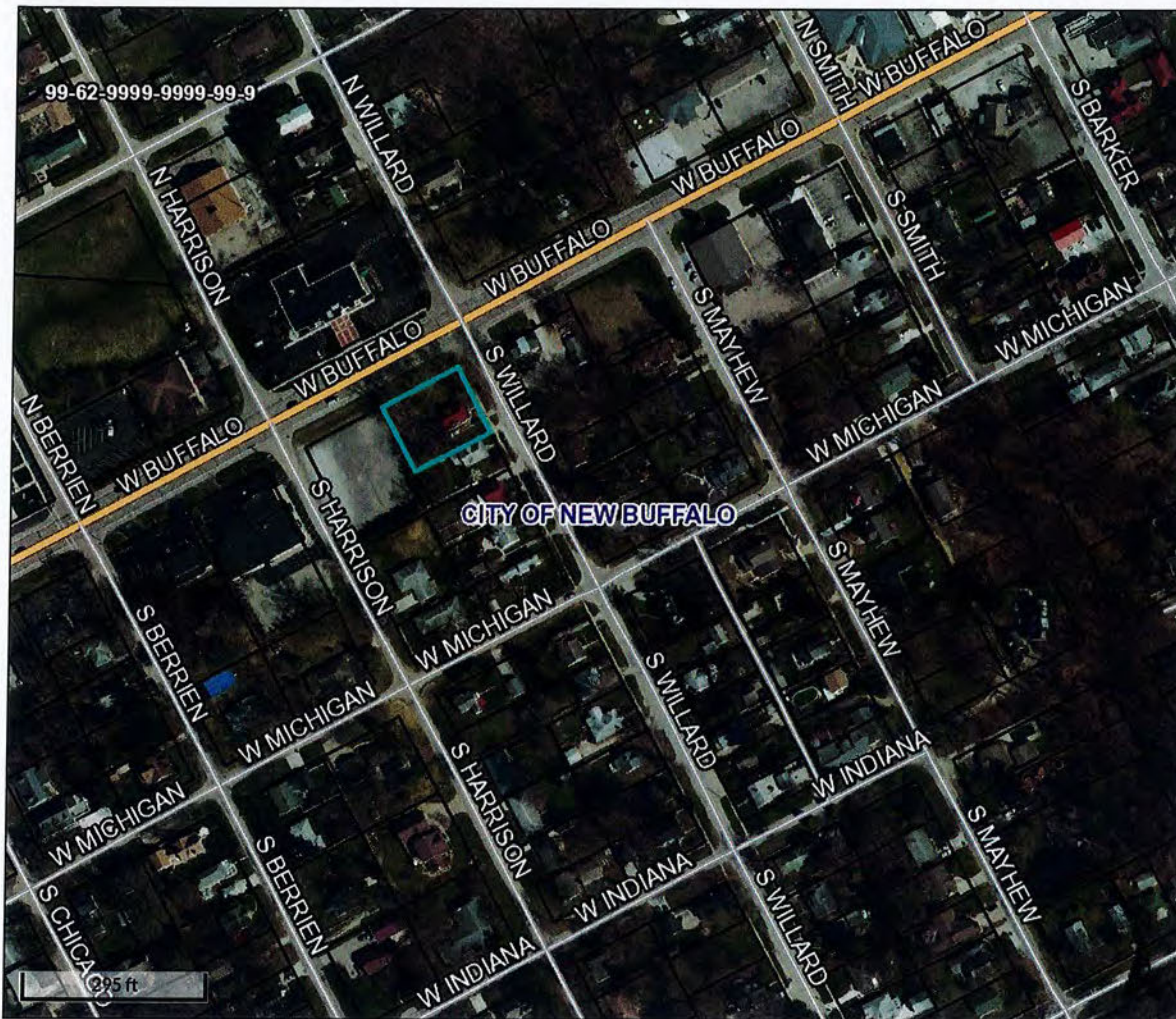
Zoning Administrator: [Signature]

Date: 11-1-21

Initial meeting date: Nov 16, 2021

Ted Hanson Building Official

















#### Overview



#### Legend

-  City and Villages
-  Railroads
- Roads**
  -  <all other values>
  -  Interstate
  -  Major Arterial
  -  Minor Arterial
  -  Roads
-  Parcels
-  Lakes
-  Rivers
-  Parcel
-  Lake Michigan

<b>Parcel ID</b>	11-62-8200-0376-00-3	<b>Alternate ID</b>	n/a	<b>Owner Address</b>	BOWDEN ADAM ANTHONY
<b>Sec/Twp/Rng</b>	n/a	<b>Class</b>	401		& BOWDEN TRICIA MAYER
<b>Property Address</b>	6 S WILLARD ST	<b>Acreage</b>	n/a		6 S WILLARD ST
	NEW BUFFALO				NEW BUFFALO, MI 49117
<b>District</b>	11200				
<b>Brief Tax Description</b>	COM NE COR OF BLK 376 VIRGINIA ADD TO VILLAGE OF NEW BUFFALO TH S30DEG E 132' S60DEG W 132' N30DEG W 132' TH N60DEG E 132' TO BEG EXC THAT PT TAKEN FOR HWY PER MR42 PG402				
	(Note: Not to be used on legal documents)				

Date created: 11/1/2021

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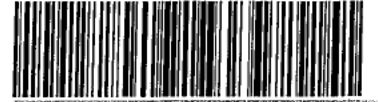
Developed by  **Schneider**  
GEOSPATIAL

CITY OF NEW BUFFALO  
224 W. BUFFALO STREET  
NEW BUFFALO, MI 49117  
Phone : (269) 469-1500

Invoice For Permit: PB21-0131  
Print Date: 10/28/2021

Received From:  
Bowden Tricia Mayer & Adam Anthony  
Date: 10/28/2021 Time: 2:31:42 PM  
Receipt: 96505  
Cashier: SBOONE

Pay by Account In Full



Pay by Account In Full

\$ 350.00

ITEM REFERENCE	AMOUNT
BDINV	
00001600	\$350.00
TOTAL	\$350.00
CHECK	\$350.00
Total Tendered:	\$350.00
Change:	\$0.00

Issue Date	Permit Number	Address	Amount Due
8/21	PB21-0131	6 S Willard ST	\$ 350.00
Transaction		Amount Cost	Balance
Transaction Fee		\$350.00	\$ 350.00
			\$ 350.00

**HORIZON**

BANK

MICHIGAN CITY, IN 46360

71-132/712

NOT VALID FOR OVER \$500.00

**PERSONAL MONEY ORDER**

DATE

Oct 27, 2021

MONEY ORDER NUMBER

\$ \*\*\*\*\*350.00

The purchaser hereof agrees to insert hereon in ink his signature and address and the name of the payee, and assumes responsibility for all events made possible by his failure to do so.

PAY THREE HUNDRED FIFTY AND NO/100 DOLLARS\*\*\*\*\*

Pay to the Order of:

City of New Buffalo

SIGNATURE

ADDRESS

Lucia M Bowden  
6 S. Willard, New Buffalo MI  
49117