

- **FINDINGS OF FACT** -

According to the Otsego Township Zoning Ordinance

Findings of Fact

"Amendments shall be considered that ensure:

1. Public health, safety, and welfare of the community and its residents are ~~Article 24 Zoning Procedures and Amendments Page 154~~ protected.

ANDY T
 BRAD T SCOTT F
 ROGER T MICHELLE F
 JEFF T KAREN F

True False

Evidence: PROVIDES A BUFFER BETWEEN INDUSTRIAL &

2. The goals and objectives of the Otsego Township Master Plan are observed and implemented.

EXISTING COMMERCIAL

True False

Evidence: MEETS MIXED USE DEFINITION

3. The Zoning Ordinance will allow for the reasonable use of land based on environmental conditions, including soils, watercourses, topography, vegetation, and other similar features."

True False

Evidence: ALLOWS USE. APPLICANT HAS A FUNCTIONAL PERCOLATION TEST. WATER TABLE AT 7 FEET

- CONSIDERATIONS / FINDINGS OF FACT -

when deliberating a request for rezoning

Spot Zoning should be avoided. To be considered "Spot Zoning" the answer to ALL of the following statements must be **True**. If one or more is False, then a proposed rezoning would not be considered Spot Zoning and may safely be considered by the Planning Commission and Township Board.

- The area is small compared to districts surrounding the parcel in question.

True TRUE False ~~F~~

BRAD F ANDY F
ROGER T KAREN T
JEFF T MICHAEL T
 SCOTT T

Evidence: _____

- The new district allows land uses inconsistent with those allowed in the vicinity.

True _____ False X

Evidence: ADJOINING LAND USES TO NORTH & EAST

- A rezoning of the area under consideration would confer a special benefit on the individual property owner **not** commonly enjoyed by the owners of a similar property.

True _____ False X

Evidence: NOTHING SPECIAL COMPARED TO ADJOINING USE N/E.

- If approved, the application for rezone would conflict with the policies in the text of the master plan and the future land use map.

True _____ False X

Evidence: MIXED USE IN MASTER PLAN & FUTURE LAND USE.

Source: "How to spot a spot zoning", Brad Neumann, AICP, Government & Public Policy Educator, Michigan State University Extension.

Published online on June 17, 2016 at http://msue.anr.msu.edu/news/how_to_spot_a_spot_zoning



TSEGO
TOWNSHIP
EST 1833

OTSEGO TOWNSHIP
PLANNING COMMISSION
MOTION

Association and Applicant Name SCOTT DEMBOWSKIE

Parcel number(s) 17-027-001-22 Case No. 24-08

Approved Site Plan Map Dated 1/8/2039 Drawn by: WIGHTMAN

I, BRADLEY ADK move that /to:
(Motion makers name) (circle one)

Motion below was Recommendation to the Township Board

ACTION - PLEASE CHECK ONE -

APPROVE AS PRESENTED APPROVED WITH STIPULATIONS DENIED TALBLED

TO REZONE THIS PARCEL FROM R-2 TO C GENERAL BUSINESS
DISTRICT. BASED ON FINDINGS OF FACT PRESENTED
AT THE 11/6/24 MEETING ATTACHED

MAKER BRAD ADK DATE 11/6/24

SECOND [Signature] DATE 11/6/24



TSEGO TOWNSHIP
EST 1833

OTSEGO TOWNSHIP
PLANNING COMMISSION
MOTION

Association and Applicant Name Scott Dembrowke

Parcel number(s) 17-027-001-20 Case No. 24-08

Approved Site Plan Map Dated 182039 Drawn by: ~~Michelle Mortan~~
Wightman

I, Michelle Mortan move that (to)
(Motion makers name) (circle one)

Motion below was Recommendation to the Township Board

ACTION - PLEASE CHECK ONE -

APPROVE AS PRESENTED APPROVED WITH STIPULATIONS DENIED TALBLED

Denied based on findings of fact #1
that the welfare of the community is
not being protected.

MAKER Michelle Mortan DATE 11/6/24

SECOND Loren Burn DATE 11/6/24