

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 protected.

True X False _____

Evidence: OWNER IS ABLE TO PROVIDE THE APPROVED WELL & SEPTIC PERMITS

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

True X False _____

Evidence: THERE ARE EXISTING R2 IN THE AREA

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 X False _____

Evidence: _____

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 _____ False X

Evidence: THERE EXIST W SIMILAR SIZED LOTS

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

True _____ False X

Evidence: _____

- 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: _____

- 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: _____

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 Steven Laws

Parcel number(s) 03-17-360-003-00 Case No. 25-02

Approved Site Plan Map Dated 3/17/25 Drawn by: Peabody Land Surveyors

I, Michael Bosch 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

Map is updated to show the 265' distance
E to West to show that the R-2 lot is
now conforming.

MAKER [Signature] DATE 7/7/25

SECOND [Signature] DATE 7/7/25

ALLEGAN COUNTY HEALTH DEPARTMENT

3255 – 122ND Ave., Suite 200, Allegan, MI 49010

Office Administration
(269) 673-5411
Bioterrorism Preparedness
686-4570
Personal Health
673-5413
673-5415



Communicable Disease
686-4524
Environmental Health
673-5415
Resource Recovery

July 1, 2025

Steven Laws
327 15th St
Otsego, MI 49078

RE: Existing Sewage/Well System Approval for 321 15th St., Tax ID: 03-17-360-003-00, Otsego Township

Steven;

This letter is a communication for your request of a replacement home to connect to the existing sewage system and water well at the above-mentioned address. Please see the following:

1: **Existing Sewage System:** The existing sewage system was permitted and inspected in 1995. The system consists of a 1000g septic tank (that was existing in 1995) that connects to an existing drywell and a 408sf drainfield. At the time of my current inspection, the drainfield had clean and dry stone and appears to be functioning correctly. This system is adequate for up to a 3bedroom home with <1900sf of living square footage. Please complete the following prior to occupancy of the replacement home:

- A) Uncover existing drywell for a visual inspection from this dept.
- B) Submit a copy of a septic pumping receipt to show that the tank was pumped in the last three years. If it was not pumped, please schedule and submit new receipt.

2: **Existing Water Well.** The existing water well is in substantial compliance with current regulations. Prior to occupancy, please complete the following:

- A) Plumber or well driller to install a new pressure tank.
- B) Prior to occupancy a safe bacteria and nitrate sample need to be collected and submitted to Health Dept.
- C) Recommended (**not mandatory**) additional samples (A water well driller will be able to assist with these samples): PFAS, Complete Metals and VOCs.

Please feel free to reach out to me by phone or email if there are questions about this report. My phone is 269-686-4504 or bwilliams@allegancounty.org.

Sincerely,


Ben Williams,

Environmental Health Division



TSEGO TOWNSHIP
EST 1833

OTSEGO TOWNSHIP
PLANNING COMMISSION
MOTION

Association and Applicant Name Otsego Properties II, LLC

Parcel number(s) 03-17-024-062-01 Case No. 25-03

Approved Site Plan Map Dated 6/12/2025 Drawn by: MEGA

I, Noah Boyd 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 approve Contingent upon approval from
the township engineers, Pein and Newhof, &
submission of a photometric plan, to be approved
administratively by PCI, & provide an easement
between for cross access to the adjacent
property to the east. & shared easement of
the stormwater pond to the North.

MAKER [Signature]

DATE 7/7/25

SECOND [Signature]

DATE 7/7/25

Memorandum

Date: July 2, 2025

To: Jen Colin, Clerk

Company: Otsego Township

From: Michael A. Schwartz, P.E.

Project #: 2250731

Re: Site Plan Review – Tropical Smoothie

We have reviewed the site plan for Tropical Smoothie dated 4/8/2025 and have the following comments:

- a) Site grading is generally adequate on this site. We request that spot grades be established in the ADA parking and maneuvering area to ensure that a maximum of a 2% grade can be achieved.
- b) The county drain commissioner department review and approval of the stormwater pond is required. A response from ACDC regarding storm water shall be provided.
- c) An MDOT driveway permit will be required.
- d) A SESC permit shall be obtained prior to construction.
- e) The building sanitary sewer and water connections shall be coordinated with the Otsego Township DPW.
- f) Township shall confirm all sewer and water fees have been calculated and paid.
- g) There is no reference to a grease trap on the connection to the sanitary sewer. Please provide details.

We hope these comments are helpful in your consideration of this matter.