

HELENA TOWNSHIP PLANNING COMMISSION MEETING
PUBLIC HEARING - SPECIAL USE PERMIT
Thursday, September 19, 2024 at 5:00PM – 6:00PM
8751 Helena Road, Alden Michigan 49612

AGENDA

Call to Order:

Pledge of Allegiance:

Roll Call:

Approval of Agenda:

Statement of Conflict of Interest:

Closed meeting for public comment regarding Special Use Permit:

- Bob Logee, Zoning Administrator
- Name and Address of Property: *Lake Roots Spa and Air BnB*
 - 10366 S. East Torch Lake Drive, Alden, MI 49612
- **Note:** Names and addresses must be collected from anyone wanting to speak on this special use permit at this public hearing;
- Communications received regarding this special use permit.

Public Comment:

Planning Commission and Zoning determination of Old Alden Mill Special Use Permit:

Adjourn:

Fay VandenBerg, Helena Township Planning Commission Secretary

Applicant Name: Jamane & Daniel Rich

Property Address: 10366 S. East Torch Lake, Alden, MI 49612

Date of Newspaper Posting: September 5th, 2024

Date of Public Hearing: September 19th, 2024

Number of Notifications: _____

Responses: _____ # of returned _____ In favor _____ no preference _____ opposed

Section 6.03 - STANDARDS FOR APPROVAL OF SPECIAL USE PERMIT.

6.03.01- Standards Applicable to All Special Uses

The Planning Commission shall recommend and the Township Board shall approve, or approve with conditions, an application for a Special Use Permit only upon a finding that the proposed project complies with all of the following standards:

- A. The property subject to the application is located in a zoning district in which the proposed use is allowed.
- B. The proposed use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the township or the natural environment as a whole.
- C. The proposed use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.
- D. The proposed use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
- E. The proposed use will not place demands on fire, police, or other public resources in excess of current capacity.
- F. The proposed use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.
- G. The proposed Site Plan meets the standards in Chapter 7 of this Ordinance.
- H. The proposed use complies with all specific standards required under this Ordinance applicable to it.
- I. If the proposed use poses a significant risk of environmental contamination, the applicant has agreed to obtain liability insurance covering the cost of clean-up and the damages that the Township and its residents would suffer if the contamination occurred.

6.03.02 - Additional Standards

In addition to the standards above, and in order to find that Section 6.03.01(G) is met, the proposed use must meet any additional applicable standards required by this Ordinance for that specific use.

Based on Finding of Fact application for special use is recommended for approval by Township Board of Trustees.

Based on Finding of Fact application for special use is not recommended for approval by Township Board of Trustees.

Motion: _____ Support: _____ Vote record _____ yes _____ no

**Finding of Fact Record
Special Use Permit
Chapter 6**

Section 6.03 -- STANDARDS FOR APPROVAL OF SPECIAL USE PERMIT.

6.03.01-- Standards Applicable to All Special Uses

The Planning Commission shall recommend and the Township Board shall approve, or approve with conditions, an application for a Special Use Permit only upon a finding that the proposed project complies with all of the following standards:

Section 6.03.01

- A. The property subject to the application is located in a zoning district in which the proposed use is allowed.
 YES NO Not Applicable
- B. The proposed use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the township or the natural environment as a whole.
 YES NO Not Applicable
- C. The proposed use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person.
 YES NO Not Applicable
- D. The proposed use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
 YES NO Not Applicable
- E. The proposed use will not place demands on fire, police, or other public resources in excess of current capacity.
 YES NO Not Applicable
- F. The proposed use will be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services.
 YES NO Not Applicable
- G. The proposed Site Plan meets the standards in Chapter 7 of this Ordinance.
 YES NO

H. The proposed use complies with all specific standards required under this Ordinance applicable to it.

YES NO Not Applicable

I. If the proposed use poses a significant risk of environmental contamination, the applicant has agreed to obtain liability insurance covering the cost of clean-up and the damages that the Township and its residents would suffer if the contamination occurred.

YES NO Not Applicable

Section 6.03.02 – Additional Standards

In addition to the standards above, and in order to find that Section 6.03.01(G) is met, the proposed use must meet any additional applicable standards required by this Ordinance for that specific use.

Section 6.04 - COMPLETION REQUIRED

A. The Special Use Permit approval shall expire unless the construction and/or use authorized by the Special Use Permit has begun within 365 days of approval. Thirty days prior to expiration of a Special Use Permit approval, an applicant may make application to the Township Board for a one year extension of the Special Use Permit at no fee. The Township Board shall grant the requested extension for an additional one year, if it finds good cause for the extension and that the zoning regulations governing the Special Use Permit approval have not changed since the approval.

Based on the above findings of fact a motion to:

- Recommend to Township Board for Approval
- Not Recommend Approval by Township Board
- Refer Back to Zoning Administrator

Motion by: _____

Supported by: _____

Vote: Yes No

Motion carried (Yes / No) Date: _____

Applicant Name/Parcel # _____

Helena Township Planning Commission
8751 Helena Road, Alden, MI 49612

File
Copy

Notice of Public Hearing

PLEASE BE NOTIFIED THAT THERE WILL BE A Public Hearing of the Helena Township Planning Commission on Thursday, Sept 19th at 6:00 PM at the Helena Township Community Center, 8751 Helena Rd., Alden, MI 49612 Phone # 331-7303

PETITIONER: Kurt Gruebner (property owner) & Bud Rich = party applying

PETITION REQUEST: new commercial use in the Village Zone

per application : " to operate a Spa / Salon and ARBNB ."

PROPERTY DESCRIPTION: Parcel # 05-08-190-008-00

Lots 50 to 55; Also S $\frac{1}{2}$ of Alley No. 2, Also N $\frac{1}{2}$ of Victor St abutting said lots.
Plat of Tyler's Addition to Spencer Creek .

(Parcel directly North of Tennis Courts)

ADDITIONAL information may be obtained at the Township Hall during regular business hours Monday and Wednesday 9:00 A.M. - 11:00 A.M.

Respectfully, Robert Logee
Township Zoning Administrator

Helena Township

REC: 8-26

ATTACHMENT E: SPECIAL USE APPLICATION

Helena Township Planning Commission

8751 Helena Rd.; P.O. Box 177; Alden, MI 49612; 231-331-7303

Owner of record : Gruebner Exchange - LLC PO box 644 - Charlevoix, Mi. 49720

SPECIAL USE APPLICATION

- parcel # : 05-08-190-(

Applicant Name: Janane Rick + Daniel Rick

Address: 10366 SE Torch Telephone #: 810-300-1478

Contractor's Name, Address, Telephone Number: Steelman Brother Construction
7315 Crisp rd Williamburg 49690
231-944-4138

1. Development Plan: TO Build + operate SPA / Salon +
Narrative of Proposal: TO Build New Building. Run operation of
in care of Public + provide Arbnh
for more details: clients (Nation Spa)

2. Goods and/or services to be sold, bartered, or tendered:
Spa Services / wellness care

3. Number of Employees: 2 Hours of Operation: Weekly

4. Plot Plan: Draw, on back side of this form, the following: North arrow, all buildings with dimensions, distance to all property lines, show all non-enclosed uses, drainage, parking area, loading and traffic handling, screenings and landscaping, exterior lighting and signs, sewage disposal systems if applicable with well and distance to drain field marked.

5. Survey of Plot/Property including footprint of proposal and legal description: Attach to application.

6. Zoning District: RX'V' Tax Identification (Parcel) Number: Hooked
08-08-190-008-00

7. Business Name, Street Address, Phone Number:
Lake Roots SPA / Arbnh

8. Health Dept. Permit #: TBD/pending Soil & Erosion Permit #: NA

9. Michigan State License # and/or Professional License #: 82706133751

10. Floor Plan and Elevation Drawings, Size of Space Occupied for Special Use: Attach to application.

11. List All Aspects of the Property; including but not limited to Wetlands, Access/Easement Agreements, etc.

13. Filing Fee \$150.00 (received: 08-26-24 . cash))

Helena Township

ATTACHMENT E: SPECIAL USE APPLICATION

I (we) hereby certify that all provisions of the Helena Township Special Use Permit, Zoning Permit, and other applicable laws and requirements are to be complied with.

15. Applicant(s) Signatures:

(1) Janane B. Rich
Sign Here

Janane B. Rich
Print name clearly

8-23-2024
Date

(2) [Signature]
Sign Here

Daniel Rich
Print name clearly

8-23-2024
Date

(3) _____
Sign Here

Print name clearly

Date

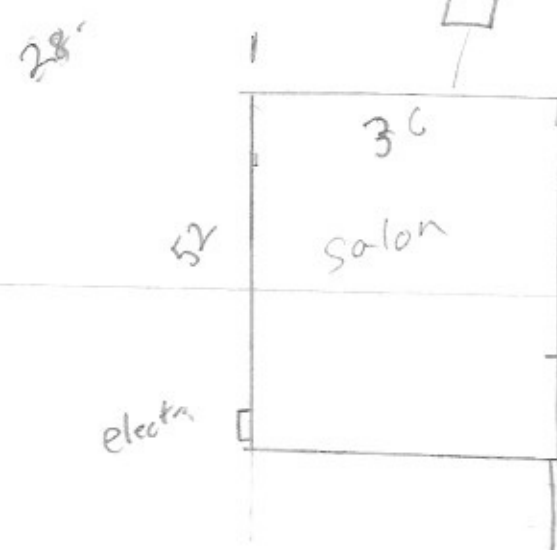
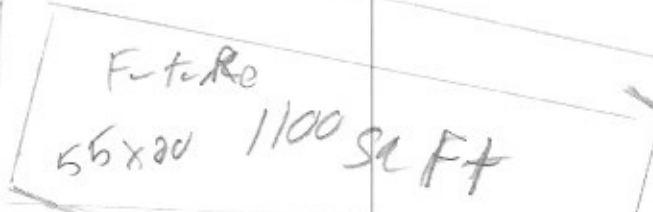
(4) _____
Sign Here

Print name clearly

Date

Segment

North →



electn

noch

well

10366 S. East Torch Lake

143-

Set Back 160

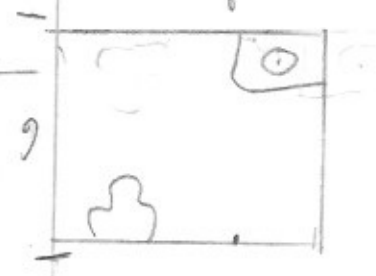
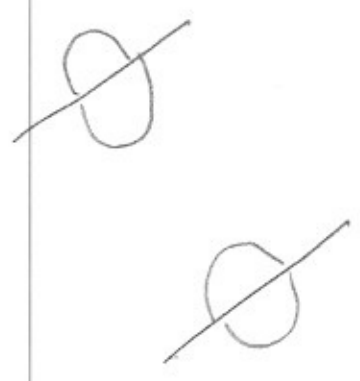
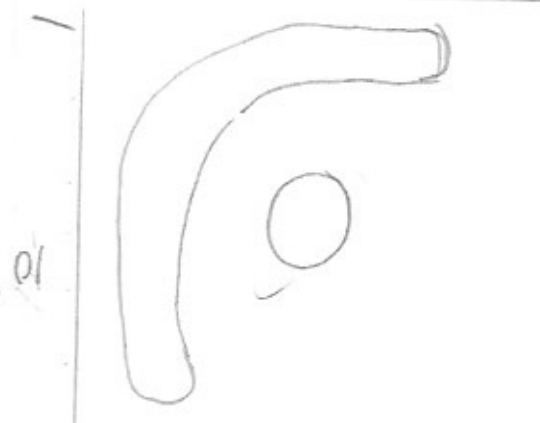
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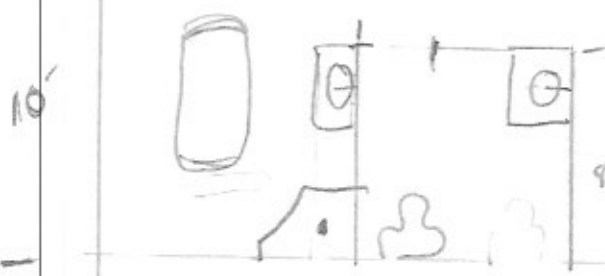
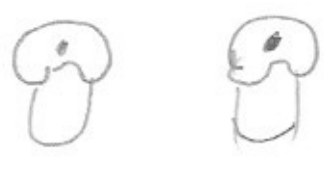
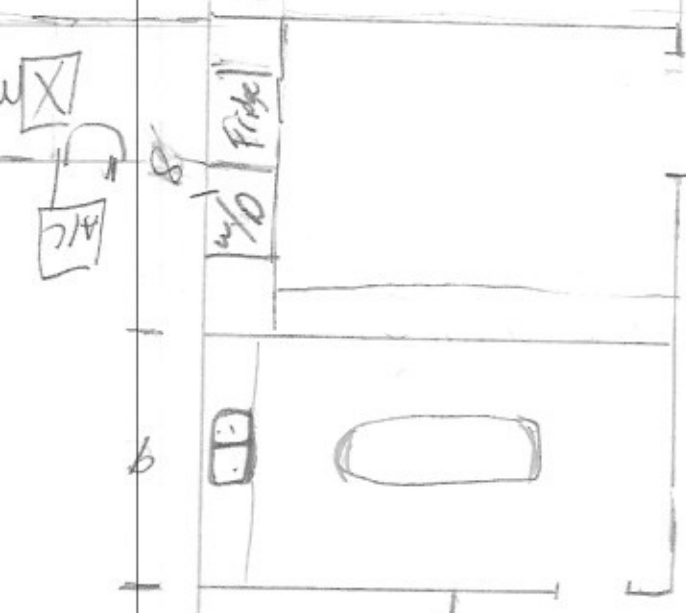
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SALON



6



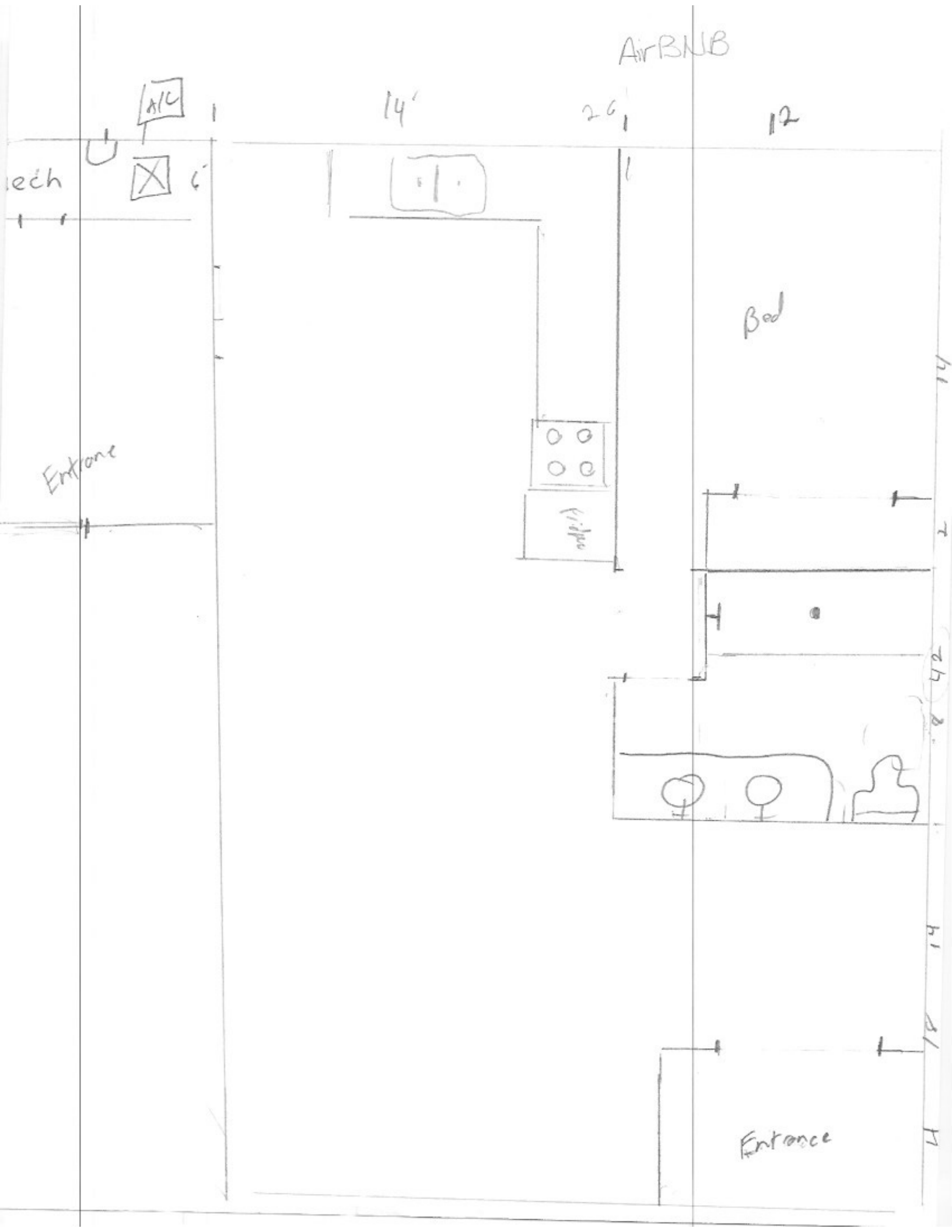
10'

8

36

12

AirBNB



Eich

A/C

14'

26'

12

Einkrone

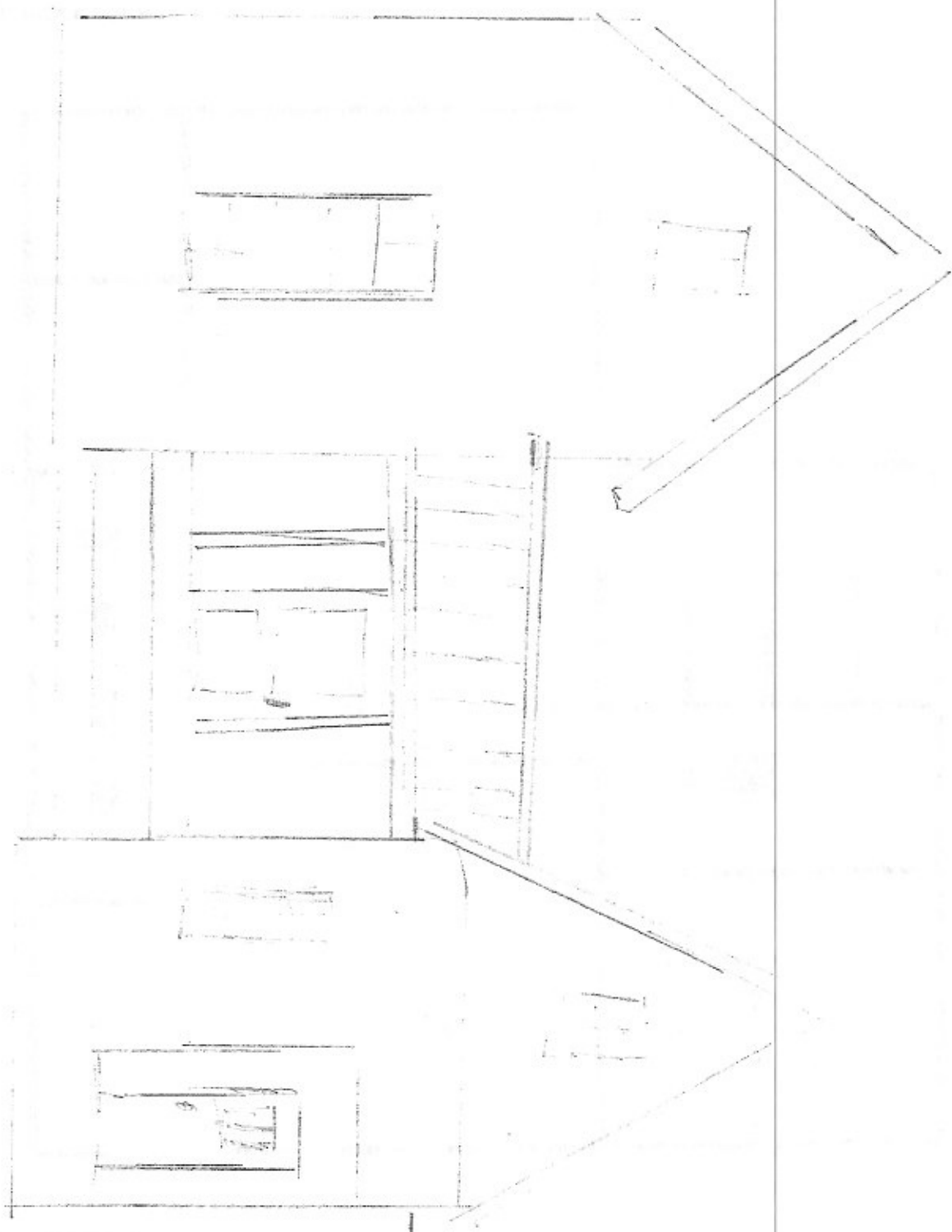
Bed

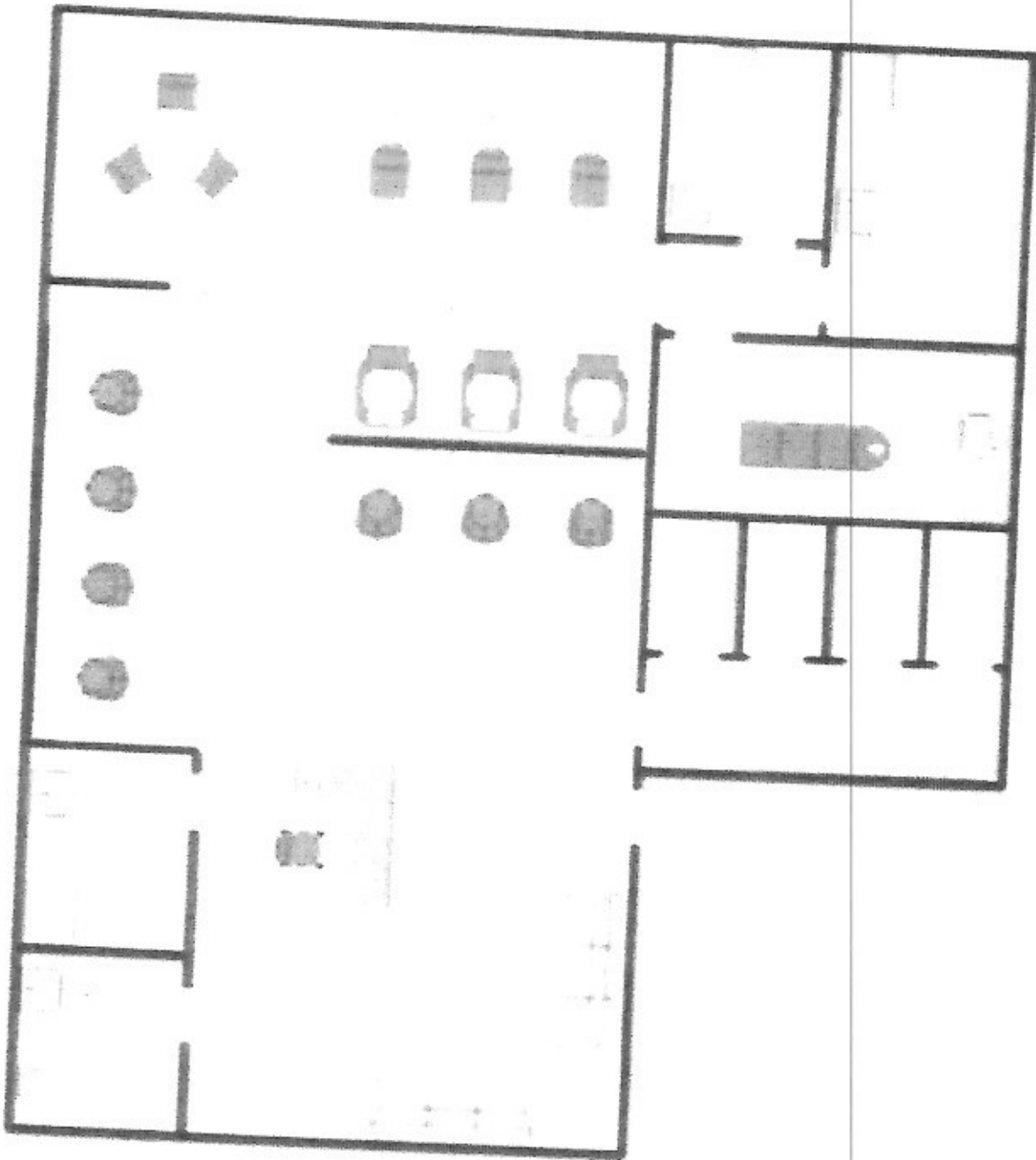
Küchen

Entrance

14'
2'
42'
8'
14'
14'
11'

Part 27 Application for # 05-08-190-008-00





1,000 x 1,000

Visit

Salon Floor Plan

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