

**Notice of Public Hearing
Huron County Planning Commission
Wednesday, September 6, 2023
County Building, Meeting Room 305
250 E. Huron Avenue, Bad Axe, Michigan
Special Approval Use Permit: SAP 2023-05**

Notice is given that the Huron County Planning Commission will hold a public hearing on Wednesday, September 6, 2023, at 7:00 p.m., in Room 305, County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413. The purpose of this meeting and public hearing is to hear comments about and consider the request of Randy Willing and Chad Willing, owners of West Side Sand Products, for a Special Approval Use Permit to establish and maintain a sand mining operation on two adjoining parcels in Section 19 of Sheridan Township, Huron County, Michigan.

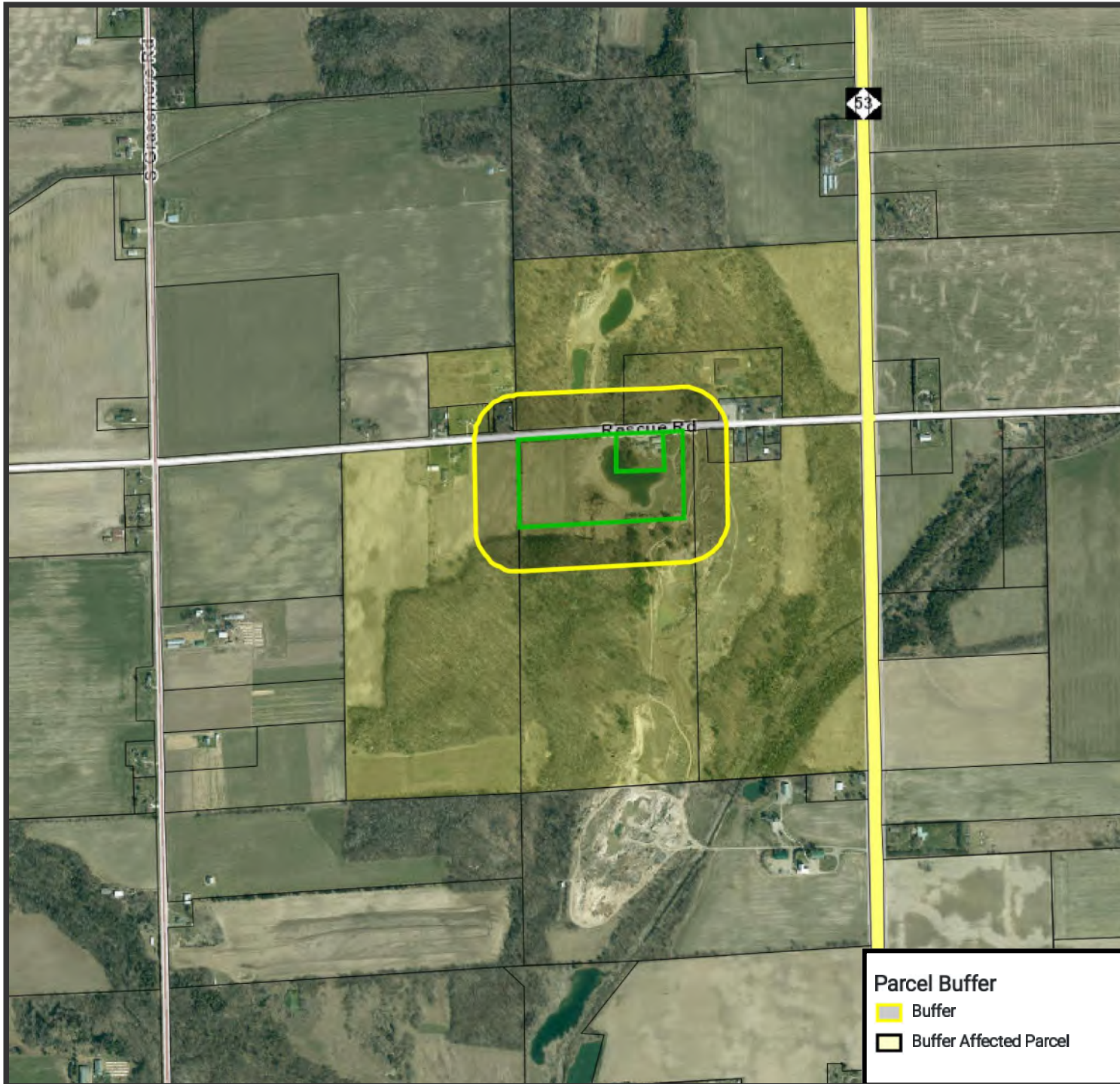
Special Approval Use Permit: SAP 2023-05: Request by Randy Willing & Chad Willing, 2254 Geiger Road, Bad Axe, MI, 48413, to establish a sand mining operation at 3155 Rescue Road, Section 19 of Sheridan Township, Huron County, Michigan. The overall 18.79 acre site currently consists of two parcels, Parcel I.D. 3224-019-006-50 and Parcel I.D. 3224-019-007-00, which are approved to be combined into one parcel for the upcoming 2024 tax year. Both parcels are located in the Agricultural (AGR) Zoning District. Applicant is proposing to mine sand from approximately 12.29 acres within the 18.79 acre parcel. All areas of excavation and sand removal will eventually create three separate permanent ponds, each pond not to exceed 4.9 acres. All finished grades will be less than 3:1 slope and each pond area will maintain a minimum 50 foot separation from property lines. Under provisions of the Zoning Ordinance of Huron County, Article XV Special Approval Use Permits, Section 15.01 and Section 15.02(4), the Huron County Planning Commission is authorized to review specific uses regulated within the various zoning classifications as set forth in the Ordinance. Pursuant to provisions of the Michigan Zoning Enabling Act, Act 110 of 2006, MCL Section 125.3205(3), "An ordinance shall not prevent the extraction, by mining, of valuable natural resources from any property unless very serious consequences would result from the extraction of those natural resources. Natural resources shall be considered valuable for the purposes of this section if a person, by extracting the natural resources, can receive revenue and reasonably expect to operate at a profit."

The application and site plan relative to this request are available for public examination during office hours at the Huron County Planning, Building & Zoning Department, Room 102a, County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413, and also available on the county website: www.co.huron.mi.us.

Persons wishing to comment on the proposed special use permit are invited to this meeting. Written comments may be mailed to the Huron County Building & Zoning Department, 250 E. Huron Avenue, Room 102a, Bad Axe, Michigan 48413 or sent by fax to 989-269-3362 or email to smithj@co.huron.mi.us. For further information on this matter, please contact Jeff Smith of the Building & Zoning Department at 989-269-9269.

This notice is disseminated pursuant to PA 110 of 2006, being the Michigan Zoning Enabling Act, as amended.

***Huron County Planning Commission
Julie Epperson, Secretary***



SAP 2023-05 Randy
& Chad Willing Sand
Mining Request
330FT Buffer Map

Section 19 Sheridan Twp.





Map Publication:
08/21/2023 11:37 AM

0.3km
0.2mi

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FetchGIS 

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Huron County expresses no warranty for the information displayed on this map document.

Parcel Buffer

-  Buffer
-  Buffer Affected Parcel

HURON COUNTY PLANNING COMMISSION
APPLICATION FOR SPECIAL APPROVAL PERMIT

\$600.00 Application Fee Regular Meeting

\$800.00 Application Fee Special Meeting Rev. 01/2022

Date: 8-15-23

PROJECT NO.: SAP 2023-05

APPLICANT'S NAME: Randy W. Oling

ADDRESS: 2254 Geiger Rd. Bad Axe MI 48413 (989) 550-1701
street city state zip telephone

PROPERTY OWNER'S NAME AND ADDRESS (if different than above):

Randy W. Oling
name
2254 Geiger Rd. Bad Axe MI 48413 (989) 550-1701
street address city state zip telephone

ADDRESS OF PROPERTY REQUESTED FOR SITE PLAN REVIEW: 3155 Rescure Rd - Bad Axe

PROPERTY IDENTIFICATION No.: 24-019-006-50 + 24-019-007-00

DESCRIPTION OF PROJECT (ATTACH SITE PLAN, Application will not be accepted without site plan):

Sand Extraction - #1 pond - 8 months #2 - 12 months
#3 pond - 12 months

Randy W. Oling
Signature of Applicant

8-15-23
Date

By signing this application, owner/agent is granting County officials the right to on-site inspection of property involved in this request.

PLANNING COMMISSION ACTION:

 APPROVED, AS SUBMITTED;

 APPROVED, WITH THE FOLLOWING MODIFICATIONS: _____

 DENIED, FOR THE FOLLOWING REASON(S): _____

Jeffrey Smith, Director

Date

SAP Permit Application

RECEIVED

AUG 15 2023

**HURON COUNTY
BUILDING & ZONING**

FROM
West Side Sand Products
2254 Geiger Rd.
Bad Axe, MI 48413

The reason we are asking for this special use permit is to mine sand.

Keep out of danger and no trespassing signs will be placed every 150 feet.

Hours of operation will be 8am to 5 pm Monday Through Friday and a possible half day on Saturdays.

Dust at the pit and on the road will be kept to a minimum.

Berms will be constructed between all ponds ten feet wide and will be sloped at a 45 degree angle.

All slopes will be at a 45 degree angle.

RECEIVED

AUG 15 2023

HURON COUNTY
BUILDING & ZONING

CERTIFICATE OF SURVEY

CLIENT: RANDY WILLING
STREET: 2254 GEIGER RD.
CITY: BAD AXE, MI 48413

PART OF N 20 ACRE OF W 1/2 OF NE 1/4 OF SEC 19 T15N-R12E SHERIDAN TWP. HURON COUNTY

NOTES:

1/2" STEEL STAKES WERE PLACED AT POINTS MARKED THUS (○). FOUND STEEL STAKES AT POINTS MARKED THUS (●). FD CONC MON AT POINTS MARKED THUS (■).

BEARING BASIS:

BEARING ARE BASED ON THE MICHIGAN STATE PLANE COORDINATE SYSTEM, MICHIGAN SOUTH ZONE, HORIZONTAL DATUM (N.A.D.83), INTERNATIONAL SURVEY FEET.

GRAPHIC SCALE

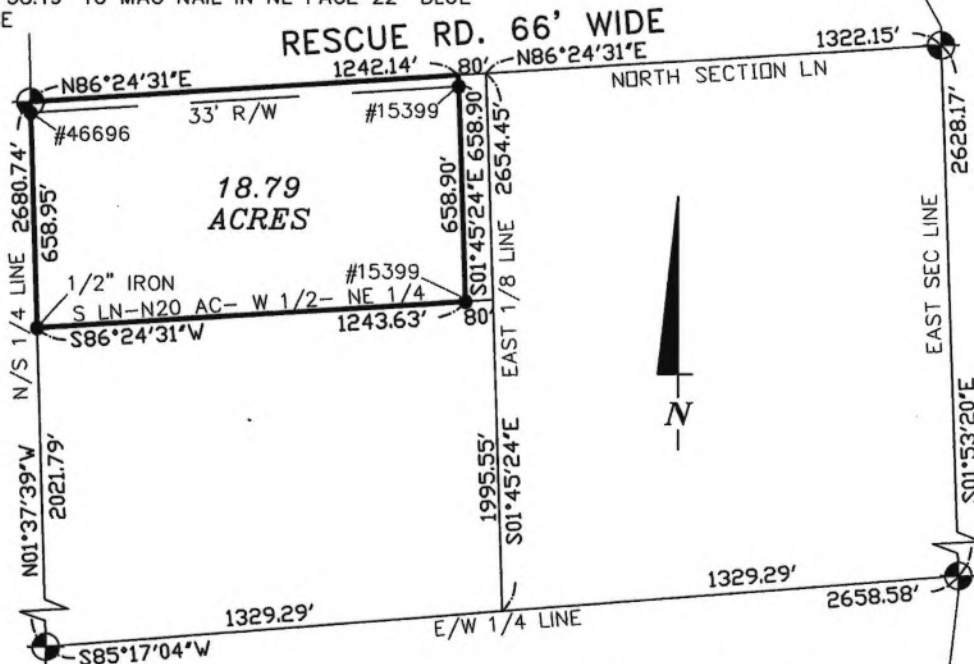


(IN FEET)

1 inch = 500 ft.

NORTH 1/4 COR SEC 19, T15N-R12E
FD 3/4" STEEL STAKE IN CL ROAD
S25°W 35.6' TO SPIKE IN E SIDE P.P.
NORTH 67.90' TO SPIKE IN E SIDE 8" ELM TREE
N37°E 48.58' TO SPIKE IN 6" APPLE TREE
S25°W 35.60' TO SPIKE IN E FACE OF P.P.
N37°W 58.19' TO MAG NAIL IN NE FACE 22" BLUE SPRUCE

NORTHEAST COR SEC 19, T15N-R12E
FD 1/2" STEEL STAKE IN MON BOX
N45°W 54.75' TO NAIL IN P.P.
S70°W 59.0' TO STOP SIGN
S45°E 76.08' TO NW COR OF BELL RISER BOX
N50°E 66.80' TO ROAD SIGN POST



CENTER 1/4 COR SEC 19, T15N-R12E
FD 1/2" IRON & CAP #15399 AT INT. OF FENCES
N10°W 15.39' TO SET SPIKE IN E. FACE OF 12" BOX ELDER
EAST 6.55' TO SET SPIKE IN N FACE OF 20" CHERRY
N01°37'39"W 2680.74' TO N 1/4 COR
N85°17'04"E 2658.58' TO E 1/4 COR

EAST 1/4 COR SEC 19, T15N-R12E
FD 1/2" IRON BAR W/ CAP IN MON BOX
WEST 46.90' TO NAIL IN A FENCE POST
EAST 37.0' TO THE FACE OF A LARGE ROCK
S85°E 28.50' TO S END OF 12" C.M.P.
N40°E 46.70' TO N END OF 12" C.M.P.
S20°W 128.20' TO FACE OF METAL MAILBOX POST



CASE SURVEYING

115 W. HURON AVE.
BAD AXE, MICHIGAN 48413
PHONE 989 269-9142 FAX 989 269-7712

I HEREBY CERTIFY that I have surveyed and mapped the above or attached described parcel(s) of land, that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying; and that the survey is in full compliance with Section No. 3, Act 132, P.A. 1970, as amended by 1992 P.A. 183 and 2018 P.A. 193.



Drawn By: IMW

Check By: LW

Date: 8/4/2023



Job No: 13373

Scale: 1" = 500'

LAURENCE J. WADE
P.S.# 46696

CERTIFICATE OF SURVEY

CLIENT: RANDY WILLING
STREET: 2254 GEIGER RD.
CITY: BAD AXE, MI 48413

PART OF N 20 ACRE OF W 1/2 OF NE 1/4 OF SEC 19		T15N-R12E	SHERIDAN TWP.	HURON COUNTY
<p>DESCRIPTION FOR PARCEL SURVEYED:</p> <p>A PARCEL OF LAND BEING IN AND A PART OF THE NORTH 20 ACRES OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 19, T15N-R12E, SHERIDAN TOWNSHIP, HURON COUNTY, MICHIGAN, DESCRIBED AS: BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 19, THENCE N86°24'31"E ALONG THE NORTH LINE OF SAID SECTION 19, 1242.14 FEET; THENCE S01°45'24"E PARALLEL WITH THE EAST 1/8 LINE OF SAID SECTION 19, 658.90 FEET; THENCE S86°24'31"W ALONG THE SOUTH LINE OF THE NORTH 20 ACRES OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SAID SECTION 19, 1243.63 FEET; THENCE N01°37'39"W ALONG THE NORTH/SOUTH 1/4 LINE OF SAID SECTION 19, 658.95 FEET TO THE POINT OF BEGINNING. THIS PARCEL CONTAINS 18.79 ACRES OF LAND. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.</p>				
		<p>CASE SURVEYING 115 W. HURON AVE. BAD AXE, MICHIGAN 48413 PHONE 989 269-9142 FAX 989 269-7712</p> <p>I HEREBY CERTIFY that I have surveyed and mapped the above or attached described parcel(s) of land, that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying; and that the survey is in full compliance with Section No. 3, Act 132, P.A. 1970, as amended by 1992 P.A. 183 and 2018 P.A. 193.</p>		
Drawn By: IMW	Check By: LW	Date: 8/4/2023	Job No: 13373	Scale: N/A

CERTIFICATE OF SURVEY

CLIENT: RANDY WILLING
STREET: 2254 GEIGER RD.
CITY: BAD AXE, MI 48413

PART OF N 20 ACRES OF W 1/2 OF NE 1/4 OF SEC 19	T15N-R12E	SHERIDAN TWP.	HURON COUNTY
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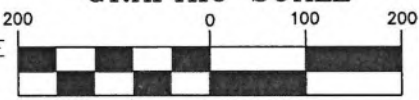
NOTES:

1/2" STEEL STAKES WERE PLACED AT POINTS MARKED THUS (○). FOUND STEEL STAKES AT POINTS MARKED THUS (●). FD CONC MON AT POINTS MARKED THUS (■).

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GRAPHIC SCALE

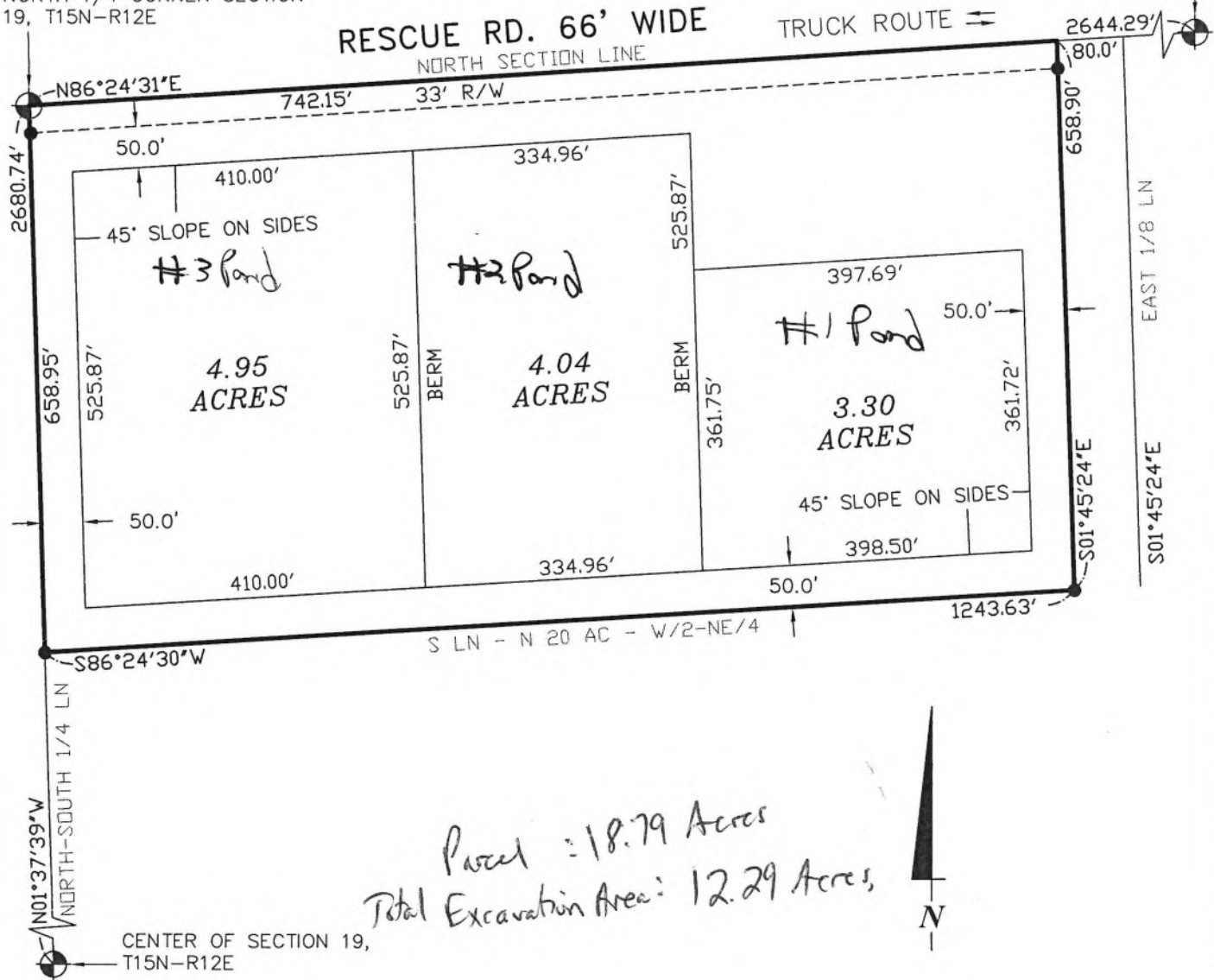


(IN FEET)

1 inch = 200 ft.

NORTH 1/4 CORNER SECTION 19, T15N-R12E

NORTHEAST CORNER SECTION 19, T15N-R12E

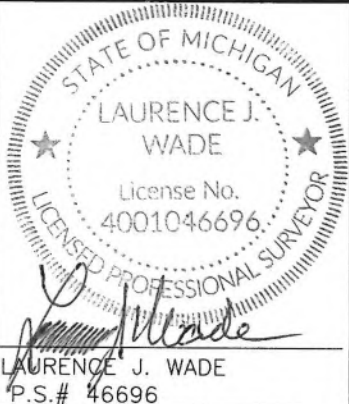


CASE SURVEYING

115 W. HURON AVE.
BAD AXE, MICHIGAN 48413

PHONE 989 269-9142 FAX 989 269-7712

I HEREBY CERTIFY that I have surveyed and mapped the above or attached described parcel(s) of land, that the relative positional precision of each corner is within the limits accepted by the practice of professional surveying; and that the survey is in full compliance with Section No. 3, Act 132, P.A. 1970, as amended by 1992 P.A. 183 and 2018 P.A. 193.



Drawn By: LJW Check By: LW Date: 8-11-2023 Job No: 13373 Scale: 1" = 200'

Jeff Smith

From: NEAL HENTSCHL <nhentschl@comcast.net>
Sent: Tuesday, August 15, 2023 11:10 AM
To: Jeff Smith
Subject: External: Westside Sand

Caution

You are seeing this notification because this email originated from outside of the organization. If you have any questions whatsoever please contact the CIS department before clicking on any links or downloading any attachments.

Good morning Jeff.

This will confirm that the Huron County Road Commission is aware of and approves the haul route for Westside Sand proposed new pit. The truck route will be from the pit location on Rescue Road, east to M-53.

Let me know if you need anything else.

Neal

**HURON COUNTY EQUALIZATION/GIS
AUTHORIZATION FORM
FOR PROPERTY DESCRIPTION COMBINE**
(ALL FIELDS ARE REQUIRED TO BE FILLED OUT)

Property combines are done and become active once a year...any request for a combine that creates a new parcel during this calendar year WILL NOT be active or take effect on the tax records until January 1st of the following year, no matter when the request is made...NO EXCEPTIONS!!! The year following the request, the new combined parcel will have a new SEV, taxable value, description and tax bill.

This property combine is simply for taxing purposes ONLY—zoning and all other issues or questions MUST be resolved at your local township or city with the Assessor and/or Zoning Administrator. Zoning approval or zoning questions for the following townships MUST be obtained from Huron County Building & Zoning...Bingham, Bloomfield, Brookfield, Dwight, Fairhaven, Gore, Grant, Hume, Lincoln, McKinley, Rubicon, Sebewaing, Sheridan, Sherman, Sigel and Winsor.

THE FOLLOWING CRITERIA MUST BE MET AND THE COMBINE MUST BE APPROVED BY YOUR TOWNSHIP IN ORDER FOR THIS OFFICE TO COMPLETE THE COMBINE PROCESS:

*Does each parcel have the same type of ownership? yes

*Are all the parcels in the same school district? ☒ YES ☐ NO School district code: 32010

*Are homestead/non-homestead classifications on each parcel the same? yes

*Are the property taxes on each parcel paid in full? yes

ALL taxes must be paid up to date for a combine to be completed. IT IS YOUR RESPONSIBILITY as the property owner to pay them. The current property owner will ALWAYS receive the entire summer and winter tax bill(s) for the year that the combine is requested!!! The year following the request, the parcels will be combined and have a new SEV, taxable value, description and receive tax bill(s) that reflect the combine.

*Are the parcels to be combined contiguous? yes

*Are the property classifications of each parcel the same? YES ☐ NO ☐ Classification code: upon combo 401

*Do any of the parcel(s) to be combined contain a 'mail-to' on the current tax records? NO

*Are parcel(s) part of a PA116 contract? NO *Transfer date (if applicable): _____

THE FOLLOWING PROPERTY IS APPROVED TO BE COMBINED:

Property # 3224-019-006-50

Property # 3224-019-007-00

Property # _____

Property # _____

Property # _____

List any special instructions: _____

PROPERTY OWNER: Chad & Randy Willing
(Name)
2254 Geiger Rd
(Street Address/P.O. Box #)
Bad Axe, MI 48413
(City, State & Zip+4)
(989) 975-1649
(Area Code & Phone Number - if applicable)

LOCATION ADDRESS: 3155 Rescue Bad Axe, MI

IF BOTH SIGNATURES ARE NOT INCLUDED WITH THIS FORM IT WILL NOT BE COMPLETED FOR THE NEXT CALENDAR YEAR!!!

X Chad & Randy Willing
Property owner request for split approval/Signature (REQUIRED)

I have read the disclaimers printed in red throughout this document and I acknowledge them: X CW RW
Property Owner's Initials

DATE: X 8-15-23

[Signature]
Supervisor/Assessor signature (REQUIRED)

[Signature]
Zoning Administrator

DATE: 8/17/23

8-17-23
Date:

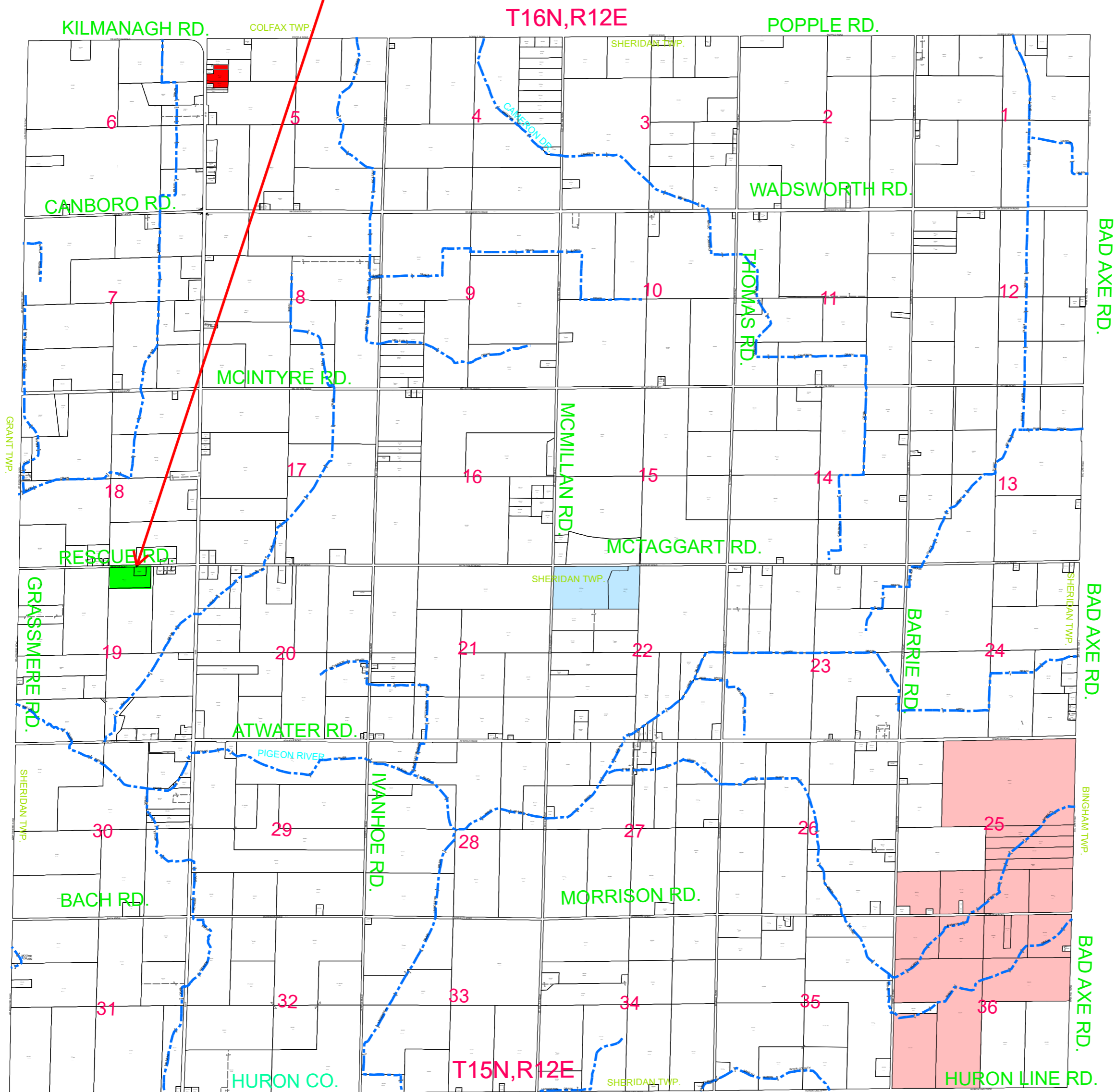
A COPY OF THIS FORM WAS PROVIDED TO THE PROPERTY OWNER: YES _____ NO _____

DATE: _____ STAFF INITIALS: _____

Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.			
PAWLOWSKI JAMES & JURGESS	WILLING CHAD & WILLING RA	395,000	07/21/2023	WD	19-MULTI PARCEL ARM'S LE	1823:173	DEED	0.0			
PAWLOWSKI JAMES	PAWLOWSKI JAMES & JURGESS	0	05/17/2022	QC	21-NOT USED/OTHER	1784:285	DEED	0.0			
JOHNSON DALE	PAWLOWSKI JAMES	0	07/19/2021	WD	21-NOT USED/OTHER	1752:507	DEED	0.0			
PAWLOWSKI JAMES		0	07/19/2021	AFF	21-NOT USED/OTHER	1752:517	DEED	0.0			
Property Address		Class: AGRICULTURAL-VACA		Zoning:	Building Permit(s)	Date	Number	Status			
RESCUE RD		School: BAD AXE PUBLIC SCHOOLS									
		P.R.E. 100% 07/19/2021									
Owner's Name/Address		MAP #: 28 19 200 011									
WILLING CHAD & WILLING RANDY 2254 GEIGER ROAD BAD AXE MI 48413		2024 Est TCV 61,600 (Value Overridden)									
		Improved	X	Vacant	Land Value Estimates for Land Table .						
		Public Improvements			* Factors *						
					Description	Frontage	Depth	Front Depth	Rate %Adj. Reason	Value	
								15.670 Acres	0 100	0	
								15.67 Total Acres	Total Est. Land Value =	0	
Tax Description		Dirt Road Gravel Road Paved Road Storm Sewer Sidewalk Water Sewer Electric Gas Curb Street Lights Standard Utilities Underground Utils.									
Sec 19, Town 15N, Range 12E. COM AT N 1/4 COR OF SEC TH S 660' TH E 1240' TH N 660' TO N SEC L TH W 140' TH S 297' TH W 360' TH N 297' TO N SEC L TH W TO POB. 15.13 A.											
Comments/Influences											
Liber/Page(s) : 433:0353											
		Topography of Site									
		Level Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain									
					Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/ Other	Taxable Value
		Who	When	What	2024	30,800	0	30,800			18,666C
					2023	30,800	0	30,800			18,666C
					2022	31,400	0	31,400			6,222C
					2021	49,100	0	49,100			6,024C
The Equalizer. Copyright (c) 1999 - 2009. Licensed To: County of Huron, Michigan											

*** Information herein deemed reliable but not guaranteed***

SAP 2023-05 Request by Randy Willing & Chad Willing
Section 19 of Sheridan Township
Two Parcels: 3224-019-006-50 & 3224-019-007-00
(Parcels to be combined for Tax Year 2024)
Proposed Use: Sand Aggregate Mining



Sheridan Zoning Legend

- AGR
- BUS
- IND
- WE

Effective Dec. 1, 1995.
Current thru 6-1-2016.

All zoning is subject to change. Please check with county zoning official for any updates.

PREPARED BY:
Huron County Equalization/GIS Department
250 East Huron Avenue
Room 306
Bad Axe, MI 48413-1165
989.269.9421
989.269.2836 FAX
6-1-2016/dlk



SAP 2023-05 Sand Mining

Wetland Map Layer



Map Publication:
08/21/2023 1:27 PM



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FetchGIS 

Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Huron County expresses no warranty for the information displayed on this map document.

ARTICLE XV. SPECIAL APPROVAL USE PERMITS

SECTION 15.01 SPECIAL APPROVAL USE PERMITS-APPROVAL PROCEDURES. In order to make this Ordinance a flexible zoning control and still afford protection of property values and orderly and compatible development of property within the County, the Planning Commission, in addition to its other functions, is authorized to review certain uses designated as "Uses Permitted on Special Approval" within the various zoning classifications as set forth in the Ordinance.

Such uses have been selected because of unique characteristics which, in the particular zone involved, under certain physical circumstances and without proper controls and limitations, might cause them to be incompatible with the other uses permitted in such zoning district and accordingly detrimental thereto.

The burden of proof of facts which might establish a right to a Special Use Approval under the foregoing conditions shall be upon the applicant.

All applications for Uses Permitted on Special Approval shall be accompanied by a site plan and shall be processed in accordance with, and subject to all the provisions of Site Plan Review. The Planning Commission shall have the responsibility to review and approve Special Approval Use Permits. It shall be the Planning Commission's responsibility to insure that specific conditions associated with each use are complied with.

Action of the County Planning Commission on any such matter shall be taken only after an application in writing shall be filed with the Zoning Administrator and shall be governed by the required procedure for an application pursuant to the Michigan Zoning Enabling Act, as amended, including holding a hearing. Developers of projects, which require a Special Approval Use Permit and zoning variances, shall apply for and be issued a Special Approval Use Permit before applying for zoning variances. Developers of projects which require a Special Approval Use Permit must begin work on the project within one (1) year of issuance of the permit unless otherwise agreed upon by the Planning commission.

The issuance of any permit shall not be approved unless the Planning Commission shall find, in each case, that:

1. All requirements set forth in this Ordinance will be complied with;
2. The use and any proposed structures to be utilized in connection therewith will not create any threat to the public health, safety and welfare and will not unduly aggravate any traffic problem in the area;
3. The proposed use will not be injurious to the surrounding neighborhood;
4. The proposed use will not be contrary to the spirit and purpose of this Ordinance. The Planning Commission may require such conditions as it may deem reasonably necessary to promote the spirit and intent of this Ordinance.
5. All proposed structures, equipment or material shall be readily accessible for fire and police protection;

ARTICLE XV. SPECIAL APPROVAL USE PERMITS Continued

SECTION 15.01 SPECIAL APPROVAL USE PERMITS-APPROVAL PROCEDURES continued:

6. The proposed use shall not cause traffic congestion or movement out of proportion to that normally prevailing in the particular district.
7. The proposed use shall provide sufficient space for off-street parking of all vehicles attracted by its presence and shall abide by the regulations set forth in this Ordinance for its particular district or use;
8. Any proposed building shall not be out of harmony with the predominant type of building in the particular district by reason of its size, character, location or intended use.
9. If applicable, groundwater protection is incorporated into the design of the site and proposed facility.

SECTION 15.02 USES NOT OTHERWISE INCLUDED WITHIN A SPECIFIC USE DISTRICT:
(ZA#98-1; eff. 6/10/98)

Because the uses referred to hereinafter possess unique characteristics making it impractical to include them to a specific use district classification, they may be permitted after consideration by the Planning Commission, pursuant to the provisions of Sections 14.28 of this Ordinance. In every case, the uses hereinafter referred to shall be specifically prohibited from any Residential (R-1, R-2, RM-1) District unless otherwise specified.

These uses require special consideration since they service large areas and require sizable land areas, creating problems of control with reference to abutting use districts. Those uses which fall specifically within the intent of the section are as follows:

1. Outdoor Theaters: Because outdoor theaters possess the unique characteristics of being used only after darkness and since they develop a concentration of vehicular traffic in terms of ingress and egress from their parking area, they shall be permitted in I-1 (IND), and AGR Districts only. Outdoor theaters shall further be subject to the following conditions:
 - a. The proposed internal design shall receive approval from the Zoning Administrator as to adequacy or drainage, lighting and other technical aspects.
 - b. Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.
 - c. All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.
 - d. The area shall be so laid out as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be so installed as to be confined within, and directed onto, the premises of the outdoor theater site.

ARTICLE XV. SPECIAL APPROVAL USE PERMITS Continued.

SECTION 15.02 USES NOT OTHERWISE INCLUDED WITHIN A SPECIFIC USE DISTRICT:
(ZA#98-1; eff. 6/10/98) Continued.

Communication Towers/Wireless Communication Facilities continued:

Performance standards: (ZA '98-1; eff. 6/10/98) continued:

5) Towers shall be located so that they do not interfere with reception in nearby residential areas.

6) The base of the tower and any guy supports shall be fenced with a minimum 6 ft. high fence.

7) The tower shall be removed by the property owner or lessee within six (6) months of being abandoned.

8) Colocation Review: Applicant(s) for zoning approval to construct a new wireless communication facility (tower) shall demonstrate that a feasible colocation on a nearby facility is not available for the coverage area and capacity needs. A map indicating the location of nearby wireless communication facilities (towers) shall be provided, and it shall be the responsibility of the applicant to demonstrate that such facilities do not have the capacity or location for colocation. All applications for new and/or modified wireless communication facilities (towers) shall demonstrate colocation capacity. (ZA '01-01; adpt. 5/8/'01; effective. 7/6/'01)

3. Water Supply and Sewage Disposal Plants: All uses shall be established and maintained in accordance with all applicable State of Michigan statutes. If any of the requirements of this subsection are less than those in applicable state statutes, the state requirements shall prevail.

a. Municipal water supply and sewage disposal plants, to serve the immediate vicinity, shall be permitted in all use districts.

b. Sewage disposal systems that are designed to disperse waste water from sources outside the County over large tracts of land shall not be permitted in the R-1, R-2, RM-1, and AGR Districts.

c. All operations shall be completely enclosed by a cyclone type fence, not less than six (6') feet high.

4. Sand, Gravel, Topsoil, Ore and Minerals All uses shall be established and maintained in accordance with all applicable State of Michigan statutes. If any of the requirements of this subsection are less than those in applicable State statutes, the State requirements shall prevail.

No fixed machinery shall be erected or maintained within fifty (50') feet to any street right-of-way line or property line in order to insure sub-lateral support to surrounding property.

Where it is determined by the Planning Commission to be a public hazard, all uses shall be enclosed by a fence six (6') feet or more in height for the entire periphery of the property or portion thereof. Fences shall be adequate to prevent trespass, and shall be placed no closer than fifty (50') feet to the top or bottom of any slope.

ARTICLE XV. SPECIAL APPROVAL USE PERMITS Continued.

SECTION 15.02 USES NOT OTHERWISE INCLUDED WITHIN A SPECIFIC USE DISTRICT:
(ZA#98-1; eff. 6/10/98) Continued.

4. Sand, Gravel, Topsoil, Ore and Minerals continued:

No slope shall exceed an angle with the horizontal of forty-five (45) degrees.

No building shall be erected on the premises except as may be permitted in the general zoning ordinance or except as temporary shelter for machinery and field office subject to approval by the Planning Commission.

The Planning Commission shall establish routes for truck movement to and from the site in order to minimize the wear on public streets and to prevent hazards and damage to properties in the community. That portion of access roads within the area of operation shall be provided with a dustless surface.

All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to single property, any individual, or to the community in general.

Proper measures, as determined by the Planning Commission shall be taken to minimize the nuisance of noise and flying dust or rock. Such measures may include, when considered necessary, limitations upon the practice of stockpiling excavated material upon the site.

When excavation and removal operations or either of them are completed, the excavated area shall be graded to that no gradients in disturbed earth shall be steeper than a slope of 3-1 (horizontal-vertical). A layer of airable topsoil, of a quality approved by the Zoning Administrator shall be spread over the excavated area, except exposed rock surfaces, or areas lying below natural water level, to a minimum depth of four (4") inches in accordance with the approved contour plan. The area shall be seeded with a perennial rye grass and maintained until the area is stabilized and approved by the Planning Commission.

Where excavation operation results in a body of water, the owner or operator shall place appropriate "Keep Out Danger" signs around said premises not more than one hundred fifty (150) feet apart.

All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to single property, and individual, or to the community in general. The applicant shall provide evidence that the proposed extractive operation will not in any way contaminate the surface water or the water table of the area. On-site testing by a qualified soil scientist is required.

5. Nuclear Power Plants Nuclear Power Plants shall be permitted in Industrial (IND) District only. All applicable State and Federal rules, regulations and statutes must be met prior to actual siting anywhere in Huron County. If deemed necessary, the Huron County Planning Commission, shall require copies of all data submitted to any State or Federal Agency pursuant to any law, ordinance or permit process.

6. Disposal Areas Disposal areas - Type I wastes, Type II wastes, Type III wastes, inert materials, or sites designed to receive dredge materials, as herein defined are permitted in any district subject to the requirements of this ordinance.

Property Owners within 330ft.



LASKY JOE & BEVERLY TRUSTEES
2633 SOUTH VAN DYKE ROAD
BAD AXE, MI 48413

FAITH GOSPEL TABERNACLE
3108 RESCUE ROAD
BAD AXE, MI 48413

BEELEER MICHAEL S & LYNETTE J
3098 RESCUE ROAD
BAD AXE, MI 48413

LASKY JOE & BEVERLY TRUSTEES
2633 SOUTH VAN DYKE ROAD
BAD AXE, MI 48413

MC TAGGART CEMETERY
3317 SOUTH VAN DYKE
BAD AXE, MI 48413

VOLLMER DAVID R TRUST &
196 SOUTH CASEVILLE ROAD
PIGEON, MI 48755

WILLING CHAD & WILLING RANDY
2254 GEIGER ROAD
BAD AXE, MI 48413

WILLING CHAD & WILLING RANDY
2254 GEIGER ROAD
BAD AXE, MI 48413

MCINTYRE NEIL
5721 WHISTLING WINDS
CLARKSVILLE, MD 21029

LAGALSKI ROBERT W & DEBORAH L
3246 RESCUE ROAD
BAD AXE, MI 48413

RODRIGUEZ EMELIA
3244 RESCUE ROAD
BAD AXE, MI 48413

POWELL JOSHUA T & CHARD MICHELLE L
3278 RESCUE ROAD
BAD AXE, MI 48413