

Notice of Public Hearing
Huron County Planning Commission
Wednesday, May 1, 2024 at 7:00 p.m.
County Building, Room 305
250 E. Huron Avenue, Bad Axe, Michigan, 48413
Special Approval Use Permit: SAP 2024-03.

Notice is given that the Huron County Planning Commission will hold a public hearing on Wednesday, May 1, 2024, 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 following request described below:

Special Approval Use Permit, SAP 2024-03: David Long, agent for Huron Propane Gas LLC, 7564 Pigeon Road, Pigeon, Michigan, 48755, is requesting zoning approval to construct a new propane delivery business located at 345 S. Main St., Pigeon, Michigan, Section 11 of Winsor Twp. This site will feature a 30ft. x 40ft. business office, a 32ft.t x 70ft. storage building which includes a heated workshop along with unenclosed propane vehicle parking bays, a 30,000 gallon bulk propane storage tank, a propane tank filling station, and an area to store propane rental tanks ranging in sizes of 100 to 1,000 gallons each. The parcel of land consists of approximately 1.64 acres of General Business (BUS) Zoned land, which is currently part of Parcel I.D. Number 3228-011-003-10 owned by Timothy and Shirley Schuette. Huron Propane Gas LLC signed a purchase agreement with the Shuette's on February 28, 2024, which is contingent upon Huron Propane Gas LLC obtaining all zoning approvals and other approvals from all government agencies having jurisdiction to construct the improvements. Under provisions of the Zoning Ordinance of Huron County, Article VII, Section 7.03 Uses Authorized After Special Approval, Subsection Q states wholesale stores, storage facilities, warehouse buildings and distribution plants are permitted subject to special approval use permit.

The application materials and site plan relative to this request are available for public examination during regular office hours at the Huron County Planning, Building & Zoning Department, Room 102 of the County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413 or www.co.huron.mi.us. Following the public hearing, the Planning Commission will consider granting a Special Approval Use Permit.

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 102, 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
Bill Renn, Chairman



Huron Propane Gas
SAP 2024-03

345 S. Main St, Pigeon MI
Part of Schuette Parcel
No. 3228-011-003-10
Section 11 Winsor Twp.
General Business (BUS)
District 320ft. Buffer Map
8 parcels/6 owners



Map Publication:
04/15/2024 12:19 PM



Parcel Buffer

- Buffer
- Buffer Affected Parcel

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.

Special Approval Permit Description

Huron Propane Gas LLC

On November 1st, 2022, Huron Propane Gas LLC acquired the propane business from Active Feed Company and Huron Gas Company. Huron Propane currently rents office space from Active Feed Company at their main office located at 7564 Pigeon Rd. Huron Propane also owns the 30,000-gallon propane tank which is located behind Active Feed's main office. Active Feed agreed to lease office space to Huron Propane for two years or until we find a new location for the business.

Huron Propane is looking for property in the Pigeon area where we can continue to serve our many customers of Huron County. Timothy and Shirley Schuette are willing to split their current parcel, 325 South Main St. in Pigeon, to sell us 1.64 acres for our project. Case Surveying completed a survey (attached) which shows how the parcel would be split upon approval. Parcel B is the parcel we would be purchasing. We signed a purchase agreement with Timothy and Shirley on February 28th, 2024. This purchase agreement is contingent upon us obtaining all zoning approvals and other approvals, including the issuance of building permit and bulk propane installation approval from all government agencies having jurisdiction to construct the improvements.

This property would be an ideal location where we could build a new office, pole barn, and relocate the 30,000-gallon storage tank. The office will be 1,200 square feet and we plan to have three employees who would be helping customers out of this office. We plan to relocate the propane filling station currently at Active Feed to the new location. The filling station includes a 500-gallon propane tank and a small cabinet, which is how we refill propane cylinders and motorhome tanks. The propane filling station and 30,000-gallon bulk tank will be enclosed in a fenced area with two gates which will be kept locked when the office is not open. The pole barn will be 32'x70' and will include a heated workshop along with four open bays for our propane delivery and service trucks. We will also have an area near the 30,000-gallon storage tank where we will store propane rental tanks which range in sizes of 100-gallon to 1,000-gallon. On average, we try to keep at least a dozen tanks on hand.

Currently, there are overhead electric lines that run north and south through the center of the property. We have contacted DTE and plan to have them relocate the electric lines, so they run around the perimeter of the property.

The driveways and parking area will be asphalt while the area inside the fence will be gravel.

The permits for the 30,000-gallon propane tank and the propane filling station are issued by the Michigan Department of Licensing and Regulatory Affairs (LARA). To comply with LARA's regulations, the 30,000-gallon tank will need to be installed at least 50' from the property lines.

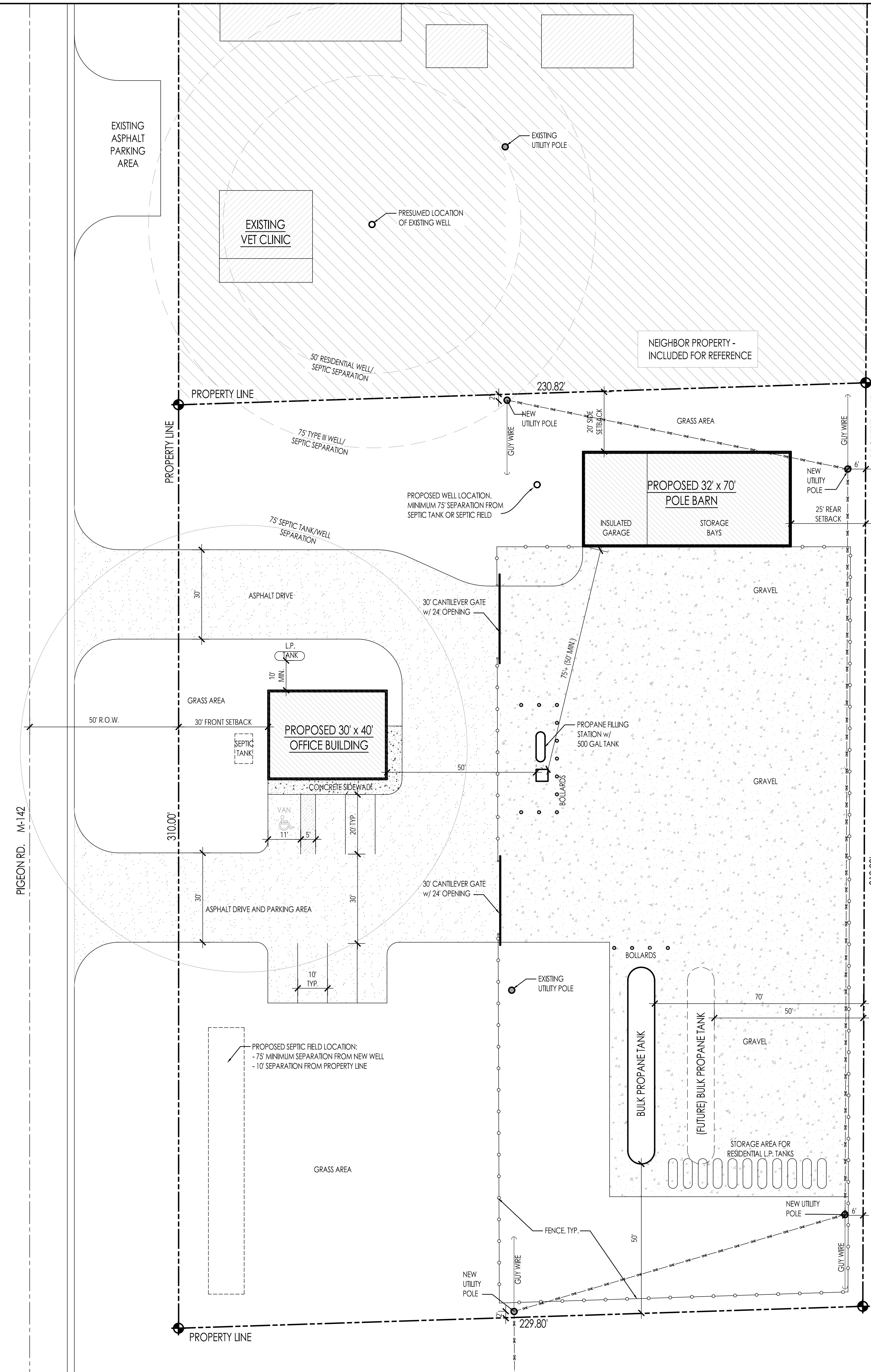
PROJECT:
HURON PROPANE - SITE PLAN
 345 S. MAIN STREET, PIGEON, MI 48755

OWNER:
 LONGS PROPANE GAS, LLC
 2535 S. VAN DYKE RD.
 MARLETTE, MI 48453
 CONTACT: DAVID LONG
 989-239-7083
 DAVE@LONGSGAS.COM

DESIGN PROFESSIONAL:
 BOOMS DESIGN & ENGINEERING, PLC
 1170 N. VAN DYKE ROAD
 BAD AXE, MI 48413
 RICK BOOMS, P.E.
 989-550-7709
 RICK@BOOMSINC.COM

CODE SUMMARY:

- Project Description: Development of new location for an established propane delivery business. This new site will feature a 1,200 s.f. office, a 2,240 s.f. storage/shop building, bulk propane storage and a propane tank filling station.
- Code: 2015 Michigan Building Code
- Occupancy Classification: Business



PROPERTY DESCRIPTION - 1.64 ACRE PARCEL
 A PARCEL OF LAND BEING IN AND A PART OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 11, T16N-R10E, WINSOR TOWNSHIP, HURON COUNTY, MICHIGAN, DESCRIBED AS:
 COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 11, THENCE S87°22'45"W ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY M-142, 1839.22 FEET TO THE POINT OF BEGINNING, THENCE N01°11'22"W ALONG SAID EAST RIGHT-OF-WAY LINE 310.0 FEET; THENCE N87°58'42"E 230.82 FEET; THENCE S01°00'03"E ALONG THE CENTERLINE OF THE FORMER GRAND TRUNK & WESTERN RAILROAD 310.03 FEET; THENCE S86°58'42"W 229.9 FEET TO THE POINT OF BEGINNING, THIS PARCEL CONTAINS 1.64 ACRES OF LAND. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

3/20/2024 - REVISED TO REFLECT RELOCATED OVERHEAD ELECTRIC POLES & LINES

H W H [W K H U H

N
 ARCHITECTURAL SITE PLAN
 1" = 20'

BOOMS DESIGN & ENGINEERING, PLC.	
HURON PROPANE SITE PLAN 345 S. MAIN STREET, PIGEON, MI	
10/24/2023 ISSUED FOR SITE PLAN REVIEW	
ARCHITECTURAL SITE PLAN	SHEET: AS

CERTIFICATE OF SURVEY

CLIENT: DAVE LONG
 STREET: P.O. BOX 348
 CITY: PIGEON, MI 48783

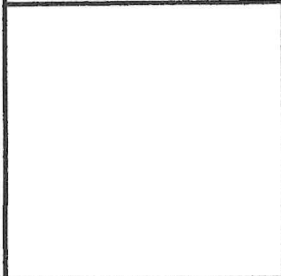
PART OF N 1/2 OF S 1/2 OF SEC 11	T16N-R10E	WINSOR TWP.	HURON COUNTY
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DESCRIPTION FOR PARCEL "A" SURVEYED:

A PARCEL OF LAND BEING IN AND A PART OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 11, T16N-R10E, WINSOR TOWNSHIP, HURON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 11, THENCE S87°22'45"W ALONG THE SOUTH LINE OF SAID SECTION 11, 202.89 FEET; THENCE N01°11'22"W ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY M-142, 2149.22 FEET TO THE POINT OF BEGINNING, THENCE N01°11'22"W ALONG SAID EAST RIGHT-OF-WAY LINE 203.23' FEET; THENCE N87°25'E PARALLEL WITH THE EAST/WEST 1/4 LINE 231.44 FEET; THENCE S01°00'03"E ALONG THE CENTERLINE OF THE FORMER GRAND TRUNK & WESTERN RAILROAD 201.48 FEET; THENCE S87°58'42"W 230.82 FEET TO THE POINT OF BEGINNING, THIS PARCEL CONTAINS 1.07 ACRES OF LAND. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION FOR PARCEL "B" SURVEYED:

A PARCEL OF LAND BEING IN AND A PART OF THE NORTH 1/2 OF THE SOUTH 1/2 OF SECTION 11, T16N-R10E, WINSOR TOWNSHIP, HURON COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 11, THENCE S87°22'45"W ALONG THE SOUTH LINE OF SAID SECTION 11, 202.89 FEET; THENCE N01°11'22"W ALONG THE EAST RIGHT-OF-WAY LINE OF STATE HIGHWAY M-142, 1839.22 FEET TO THE POINT OF BEGINNING, THENCE N01°11'22"W ALONG SAID EAST RIGHT-OF-WAY LINE 310.0 FEET; THENCE N87°58'42"E 230.82 FEET; THENCE S01°00'03"E ALONG THE CENTERLINE OF THE FORMER GRAND TRUNK & WESTERN RAILROAD 310.03 FEET; THENCE S86°58'42"W 229.80 FEET TO THE POINT OF BEGINNING, THIS PARCEL CONTAINS 1.64 ACRES OF LAND. SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS-OF-WAY OF RECORD.



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.

STATE OF MICHIGAN
 LAURENCE J. WADE
 License No. 4001046696
 LICENSED PROFESSIONAL SURVEYOR

Laurence J. Wade
 LAURENCE J. WADE
 P.S.# 40696

Drawn By: IMW	Check By: LW	Date: 9/13/2023	Job No: 13426	Scale: N/A
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PURCHASE AGREEMENT

REDACTED
COPY
N.S.

THIS AGREEMENT, made this 28TH day of FEBRUARY, 2024, by and between

TIMOTHY KARL SCHUETTE and SHIRLEY ANN SCHUETTE, husband and wife, of 325 South Main Street, Pigeon, Michigan 48755, hereafter collectively referred to as Seller;

and **HURON PROPANE GAS, LLC**, a Michigan Limited Liability Company, of 7564 Pigeon Road, Pigeon, Michigan 48755, hereafter referred to as Purchaser.

Witnesseth:

1. Seller agrees to sell and Purchaser agrees to purchase on the terms and conditions hereinafter set forth, the following described premises situated in the Township of Winsor, County of Huron and State of Michigan, to-wit:

Commencing at the South quarter corner of Section 11, T16N-R10E, Winsor Township, Huron County, Michigan; thence S87°22'45"W along the South line of said Section 11, 202.89 feet; thence N01°11'22"W along the East right of way line of State Highway M-142, 1839.22 feet to the Point of Beginning; thence N01°11'22"W along said East right of way line 310.0 feet; thence N87°58'42"E 230.82 feet; thence S01°00'03"E along the centerline of the former Grand Trunk & Western Railroad 310.03 feet; thence S86°58'42"W 229.80 feet to the Point of Beginning. This parcel contains 1.64 acres of land. Subject to easements and rights of way of record.
[PIN: Part of 3228-011-003-10]

2. The Purchase Price is _____ Dollars payable as follows: _____ Dollars on delivery of this Agreement (said amount to apply to the Purchase Price at Closing) and the balance of _____ Dollars payable at Closing, at which time Seller shall deliver to Purchaser a Warranty Deed. Said Warranty Deed shall include the following language: "The Grantors grant to Grantee the right to make zero (-0-) divisions pursuant to Sections 108 and 109 of the Land Division Act (MCL 560.101 et seq, as amended). Further, this property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan Right to Farm Act."
3. In the event of default by Seller, Purchaser may pursue any legal and/or equitable remedies against Seller. In the event of default by Purchaser, Seller may pursue any legal and/or equitable remedies against Purchaser. The defaulting party shall pay the reasonable attorney fees and expenses incurred by the non-defaulting party in enforcing the terms of this Agreement.
4. 2024 real property taxes shall be prorated to the date of Closing on a calendar year basis and treated as paid in arrears to the date of Closing based upon most recent tax bills, as is the custom in Huron County. Any special assessments which are a lien on the premises prior to the date of Closing shall be paid by Seller.
5. This Purchase Agreement is contingent upon Purchaser obtaining all zoning approvals and other approvals, including the issuance of building permit and bulk propane installation approval from all government agencies having jurisdiction to construct the improvements. Once completed, Purchaser shall so notify Seller in writing, and then Seller shall submit an appropriate

and proper Land Division Application to Winsor Township within ten (10) days from the date of receipt of said notice. In the event Winsor Township fails to and/or refuses to divide the premises into a separate parcel within sixty (60) days from the date of Seller's application, then this Purchase Agreement shall become void and of no further legal effect, and Seller shall immediately refund Purchaser's Earnest Money Deposit.

6. Seller shall provide Purchaser with a title insurance commitment (with standard exceptions) in the amount of the full purchase price at least five (5) days prior to Closing. In the event Purchaser notifies Seller in writing of reasonable defect in the marketability of the title, Seller shall have sixty (60) days to correct said defect. In the event Seller is unable to correct said defect within said sixty (60) days, then this Purchase Agreement shall become null and void and of no further legal effect, and Seller shall immediately refund Purchaser's earnest money deposit.
7. Purchaser acknowledges that it has been informed drain tile has been installed under the premises. Purchaser agrees to hold Seller harmless from any and all expenses related to the installation of a new tile header and connection to the main drain line.
8. Closing to take place within ten (10) days after all approvals set forth in Paragraph #5 are received, absent a written addendum hereto extending said date. Purchaser to be given possession of the premises at Closing.
9. Seller shall pay its attorney fees, title insurance premium and state and county revenue stamps. Purchaser shall pay its attorney fees, costs of recording and financing costs, if any.
10. Time is of the essence of this agreement. This agreement shall not be recorded. This agreement is the sole and whole agreement between the parties except as may be set forth in any written addendums hereto. This agreement shall be binding and inure to the benefit of the parties hereto their heirs, administrators, successors and assigns.
11. **THIS IS A LEGALLY BINDING AGREEMENT. ALL PARTIES ARE ADVISED TO SEEK THE ADVICE OF AN ATTORNEY OR OTHER QUALIFIED PERSON PRIOR TO SIGNING THIS AGREEMENT.**

Signed by:

Dated: 2-29, 2024

Timothy Karl Schuette
TIMOTHY KARL SCHUETTE, Seller

Dated: 2-29, 2024

Shirley Ann Schuette
SHIRLEY ANNI SCHUETTE, Seller

Dated: 2-28, 2024

David R. Long
HURON PROPANE GAS, LLC, Purchaser
By: David Long, Authorized Member

Drafted by: David J. Watts, Attorney at Law (ATTORNEY FOR SELLER)
4697 North Caseville Road; PO Box 1051, Caseville, Michigan 48725
Phone: (989) 856-2426

ARTICLE VII. BUSINESS GENERAL BUSINESS DISTRICT Continued.

SECTION 7.03 USES AUTHORIZED AFTER SPECIAL APPROVAL continued.

M) Publicly owned buildings, public utility buildings, telephone exchange buildings; electric transformer substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations.

N) Waterfront uses customarily incidental to recreational boating including sales, service and storage facilities.

O) Adult entertainment businesses, as defined in Section 2.02 A. (3) of this Ordinance, subject to the following provisions:

1) All adult entertainment business locations shall be located a minimum of one thousand (1,000) feet from another adult entertainment business, residence, governmental building, park, library, civic building or church.

P) Arcades and amusement centers where mechanical, electronic or other devices, excluding music devices, which may be operated or played upon by the placing or depositing coins, slugs or rented, or by paying therefore either in advance of or after use, involving in its use either skill, games, chance, amusement or pleasure including, but not limited to, tape machines, card machines, pinball machines, bowling game, shuffleboard, marble game machine, horse racing machines, basketball (baseball, football, hockey, etc.), electronic video games, or any similar devices, where five (5) or more such devices are located at one establishment or center, subject to:

(1) New establishments shall be located five hundred (500) feet or more from properties zoned for residential use and five hundred (500) feet from any existing arcade or amusement center.

(Q) Wholesale stores, storage facilities, warehouse buildings, distribution plants.

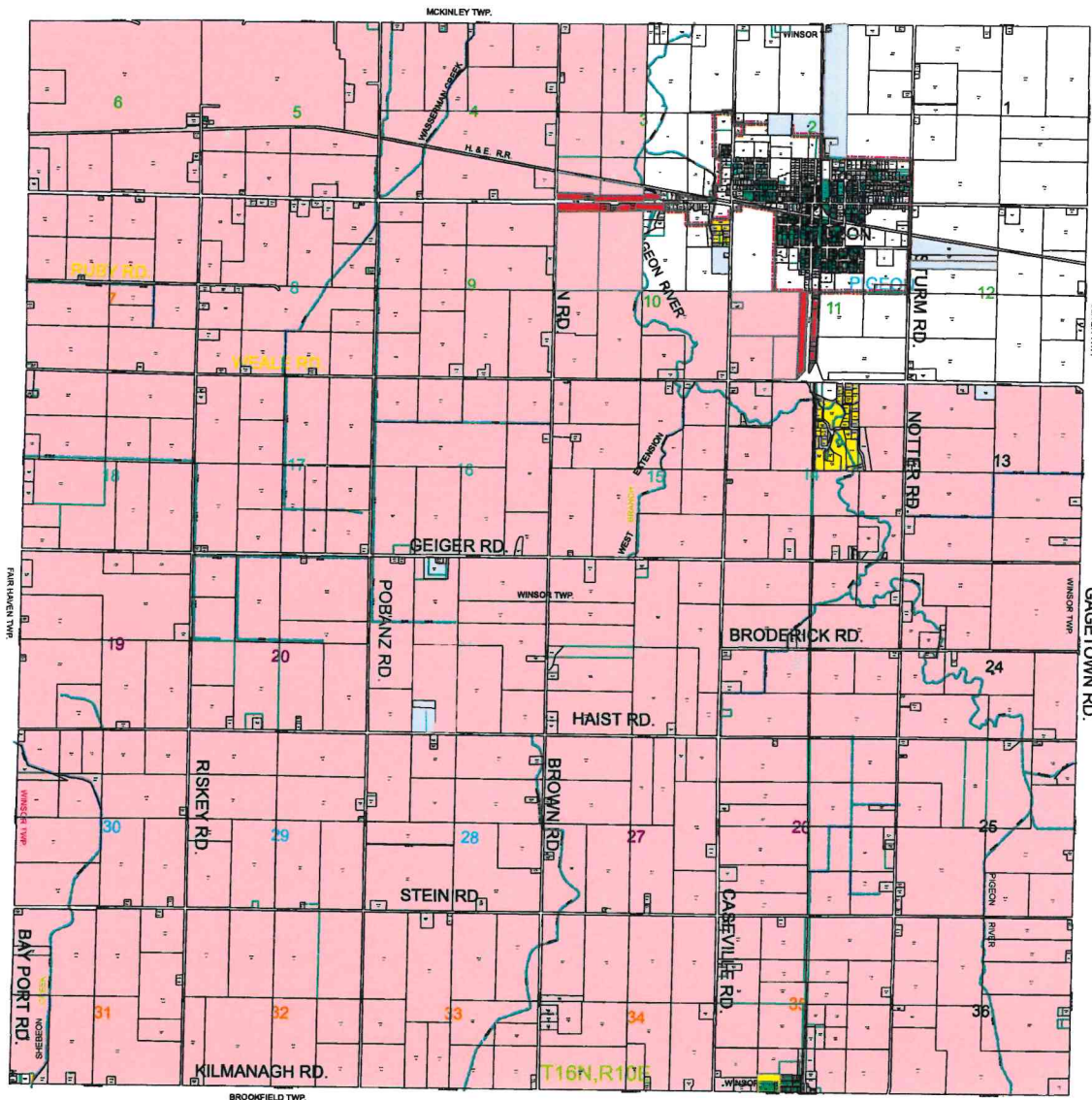
(R) Waterfront uses customarily incidental to recreational boating facilities, including sales, service and mooring/storage uses and facilities.

(S) On-site wind energy conversion systems subject to provisions of Section 14.29 of this Ordinance.

SECTION 7.04 HEIGHT, AREA, BULK AND PLACEMENT REGULATIONS. See Article IX, Schedule of Regulations, of this Ordinance which provide standards which limit the height and bulk of buildings, the minimum size of lots or parcels by permitted land use, and providing minimum setback requirements.

SECTION 7.05 OFF-STREET PARKING AND LOADING/UNLOADING provisions are found in Sections 14.05 and 14.06 of this Ordinance.

SECTION 7.06 ADDITIONAL REGULATIONS. The storage of all materials, objects, equipment and machinery other than for heating/cooling, and inoperable/unlicensed motor vehicles shall be wholly within a completely enclosed building(s) or screened from public view.



Winsorzng14
Zoning

	AGR
	BUS
	IND
	RES
	WE

Effective March 1, 2006.
 Current thru 6-1-2016.

PREPARED BY:
 Huron County Tax Mapping/GIS Department
 250 East Huron Avenue
 Room 306
 Bad Axe, MI 48413-1165
 989 289 9421
 989 289 2336 FAX
 6-1-2016/ck

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

