

**Notice of Public Hearing  
Huron County Planning Commission  
Wednesday, March 5, 2025  
County Building, Meeting Room 305  
250 E. Huron Avenue, Bad Axe, Michigan  
Special Approval Use Permit: SAP 2025-02**

Notice is given that the Huron County Planning Commission will hold a public hearing on Wednesday, March 5, 2025, 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 for a Special Approval Use Permit to mine sand and gravel in Section 31 of Sheridan Township, Huron County, Michigan, more fully described below:

**Special Approval Use Permit: SAP 2025-02:** Request by Martin & Amber Gentner, owners of AGM Enterprises LLC, 7603 Munford Road, Ruth, Michigan, 48470, to mine sand and gravel from property located at 5470 S. Van Dyke Road, Ubly, Michigan, 48475, Section 31 of Sheridan Township, Huron County, Michigan. Parcel I.D. 3224-031-008-50 is in the Agricultural (AGR) Zoning District. Applicants are intending to mine approximately 20 acres of the 39.63-acre site. The areas of excavation may create permanent ponds, each body of water not to exceed 4.9 acres. All finished grades will be less than 3:1 slope. 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 102, County Building, 250 E. Huron Avenue, Bad Axe, Michigan 48413, and also available on the county website: [www.co.huron.mi.us](http://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 102, Bad Axe, Michigan 48413 or sent by fax to 989-269-3362 or email to [smithj@co.huron.mi.us](mailto: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***



SAP 2025-02 SAND & GRAVEL MINING ON A 39.63-ACRE PARCEL, PARCEL ID 3224-031-008-50

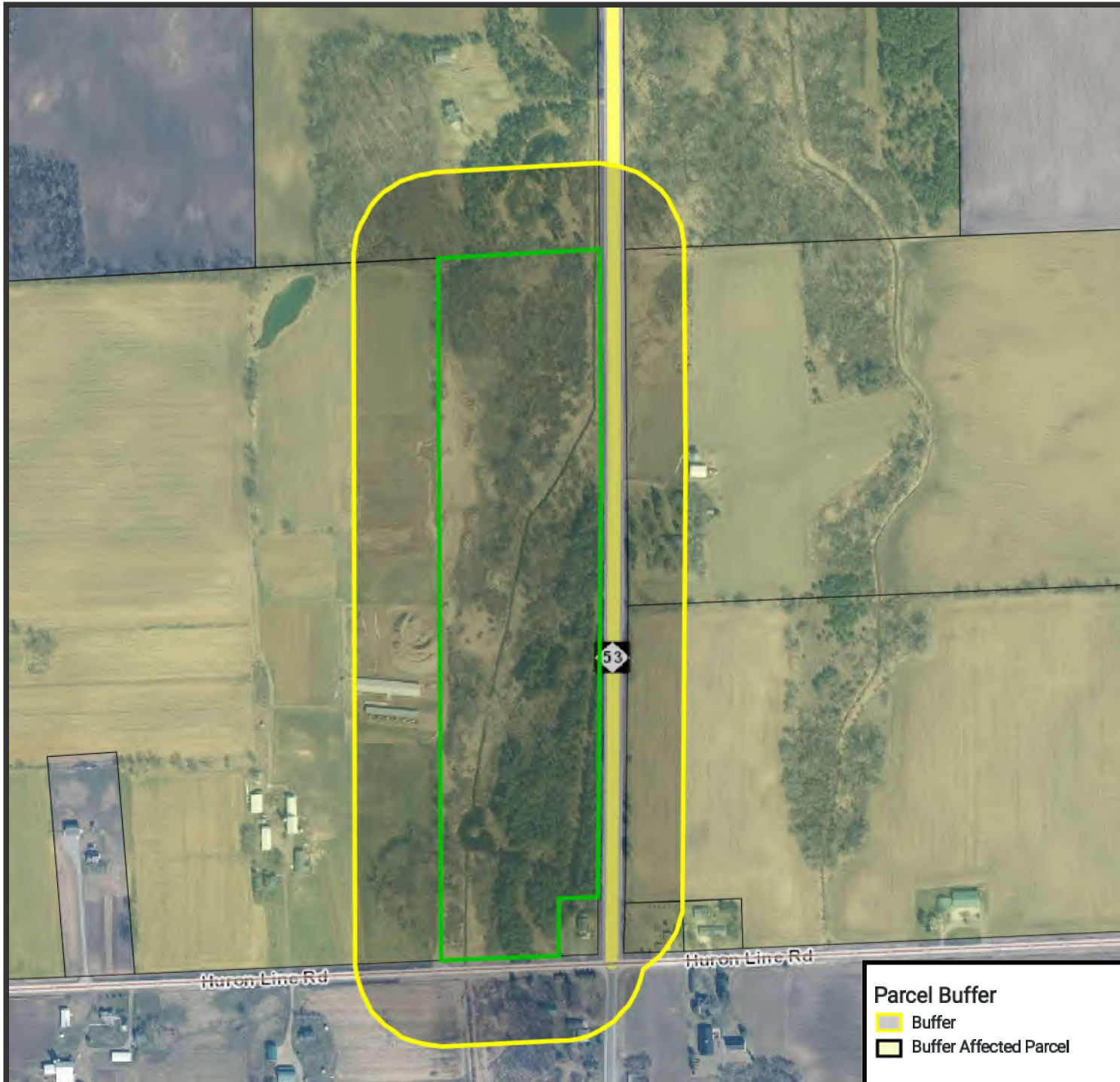
SECTION 31 SHERIDAN TOWNSHIP OWNER: AGM ENTERPRISES LLC 320FT. BUFFER MAP



Map Publication:  
02/13/2025 2:35 PM



**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**

~~800~~ 00 Application Fee Regular Meeting  
1200.00 Application Fee Special Meeting Rev. 01/2022<sup>5</sup>

Date: February 12, 2025

PROJECT NO.: SAP 2025-02

APPLICANT'S NAME: AGM Enterprises, LLC

ADDRESS: 7603 Munford Road, Ruth MI 48470 (989) 551-1487  
street city state zip telephone

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

Same as Above  
name street address city state zip telephone

ADDRESS OF PROPERTY REQUESTED FOR SITE PLAN REVIEW: 5470 S. Van Dyke Road, Ubly MI 48475

PROPERTY IDENTIFICATION No.: 24-031-008-50

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

Please See Attached

Amber Decker Member  
Signature of Applicant

02/12/2025  
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

✓ #1275 600  
cash 200  
PO

Date

SAP Permit Application

Receipt # 76460  
2/12/25 AW

**AGM ENTERPRISES, LLC**

7603 Munford Road – Ruth, MI 48470

Phone: (989) 864-5549 ~ E-MAIL: gentner1ac@hotmail.com

Martin Gentner, Owner (989) 551-1487 ~ Amber D. Gentner, Owner (517) 206-1253

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Special Land Use Permit

Tax Parcel # 24-031-008-50

Legal Description of 5470 South Van Dyke Road Ubly, MI 48475

Southeast ¼ Fr. Section 31, T15N-R12E, Sheridan Township, Huron County, MI

Applicant Information

AGM ENTERPRISES, LLC

7603 Munford Road

Ruth, MI 48470

Martin Gentner (989) 551-1487

Amber Gentner (517) 206-1253

Hours of Operation

Typical hours are Monday – Saturday 6 AM – 9 PM

Site Plan (attached) includes:

Per engineered drawing

Roadway:

Typical travel route to/from pit will be Huron Line Road to M-53. Applicant shall have road bond in place with Huron County Road Commission upon approval of Special Use Permit.

Driveway:

Main access to property will be via the current driveway in place on Miller property (ID# 24-031-008-20) per agreement dated 9/24/22. Located approx. 620' West of M53 on the North side of the road running right along the West side of AGM property. Driveway is approximately 20 ft wide and 1,850 ft deep into property.

Second driveway which is also on the property will be approximately 210' West of M-53 on the North side of the road. It is approx. 20' wide and 400' deep into the property.

Material Areas

Topsoil will be removed and stockpiled, Gravel and Sand will be harvested.

**AGM ENTERPRISES, LLC**

7603 Munford Road – Ruth, MI 48470

Phone: (989) 864-5549 ~ E-MAIL: gentner1ac@hotmail.com

Martin Gentner, Owner (989) 551-1487 ~ Amber D. Gentner, Owner (517) 206-1253

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Keep Out - Danger signs shall be placed around the premises of the property at no more than 150 feet apart.

No body of water will be within the 50-foot setback area. No finish grade will be greater than a 3:1 slope.

Posted with chain gates are at the entrance of both driveways.

Property line setbacks will be in compliance with the Huron County Ordinance.

In the construction of said material removal area, no sites of ecological significance will be affected by the use of the property. Hunting and pasturing of farm animals will be done in conjunction with the harvesting of material operations. Areas of disturbance for material harvest will be kept to a minimum. The area of material removal consists of removing a natural aggregate, no more than 4.9 acres will be disturbed at any given time, and approximately 20 acres will be harvested when completed.

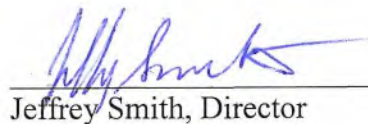
At this location, the processes that may take place, but are not limited to, the direct loading of products into trucks, screening and washing of sand and stone materials, processing plant and processing of materials, stockpiling and transferring of aggregate products on an as needed basis. All machines brought in for material harvesting and processing are portable and will be onsite only when necessary.



Martin R. Gentner, AGM Enterprises, LLC

2-12-25

Date Signed



Jeffrey Smith, Director

2-12-25

Date Signed

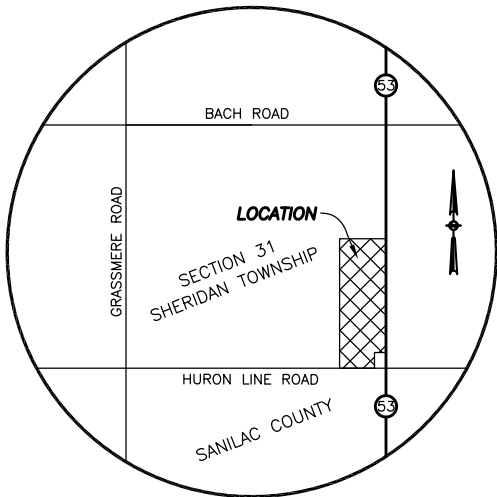
Grantor	Grantee	Sale Price	Sale Date	Inst. Type	Terms of Sale	Liber & Page	Verified By	Prcnt. Trans.
BOLKORJIAN ZOVINAR	AGM ENTERPRISES LLC	160,000	11/04/2021	WD	03-ARM'S LENGTH	1766:36	DEED	0.0
MC LACHLAN	BOLKORJIAN MLC	27,300	11/01/1998	WD	03-ARM'S LENGTH	752/276	DEED	0.0

Property Address	Class: RESIDENTIAL-IMPRO	Zoning:	Building Permit(s)	Date	Number	Status
5470 S VAN DYKE RD	School: UBLY COMMUNITY SCHOOLS					
	P.R.E. 0%					
Owner's Name/Address	MAP #: 28 31 400 004					
AGM ENTERPRISES LLC 8054 HURON LINE ROAD MINDEN CITY MI 48456	2025 Est TCV 243,600 (Value Overridden)					

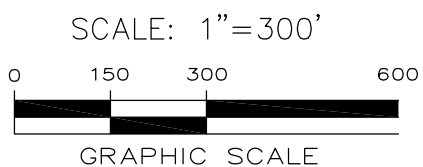
Tax Description	Improved	X	Vacant	Land Value Estimates for Land Table .					
	Public Improvements			Description	Frontage	Depth	* Factors * Front Depth	Rate %Adj. Reason	Value
Sec 31, Town 15N, Range 12E. E 1/2 OF E 1/2 OF SE 1/4 EXC BEG AT SE COR OF SEC TH N ALG E SEC L 238.71' TH W 208.71' TH S 238.71' TH E 208.71' TO POB. 39.63 A.	Dirt Road								0
	Gravel Road						35.40 Total Acres	0 100	0
	Paved Road							Total Est. Land Value =	0
	Storm Sewer								
	Sidewalk								
	Water								
	Sewer								
	Electric								
	Gas								
	Curb								
	Street Lights								
	Standard Utilities								
	Underground Utils.								

Comments/Influences	Topography of Site	Level	Year	Land Value	Building Value	Assessed Value	Board of Review	Tribunal/Other	Taxable Value
Liber/Page(s): 723:0099, 752:0276, 891:0721	Rolling Low High Landscaped Swamp Wooded Pond Waterfront Ravine Wetland Flood Plain		2025	121,800	0	121,800			95,253C
			2024	108,400	0	108,400			92,389C
			2023	103,900	0	103,900			87,990C
			2022	83,800	0	83,800			83,800S

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



LOCATION MAP  
NOT TO SCALE



NO FINISHED GRADE WILL BE GREATER THAN A 3:1 SLOPE. ALL WETLAND AREAS WILL BE AVOIDED



*Benjamin D. Tank*

<b>SAND REMOVAL PLANS</b> SOUTHEAST 1/4 FR. SEC. 31, T15N-R12E, SHERIDAN TOWNSHIP, HURON COUNTY, MICHIGAN	<b>AGM ENTERPRISES, LLC</b> 7603 MUNFORD ROAD RUTH, MI 48470 989-551-1487	<b>TANK SURVEYING</b> 255 E. HURON AVE., BAD AXE, MI 48413 989-269-2201		FILE: 2025-019	SCALE: 1" = 300' SHEET: 1 OF 1	
				PROJECT MGR: BDT		PROJECT LOG
				DESIGNED BY: CJO		△ SITE PLAN 2/2025
SITE PLAN				DRAWN BY: CJO	△ 1 OF 1	



SAP 2025-02 SAND & GRAVEL MINING ON A 39.63-ACRE PARCEL, PARCEL ID 3224-031-008-50

SECTION 31 SHERIDAN TOWNSHIP OWNER: AGM ENTERPRISES LLC WETLAND MAP LAYER



Map Publication:  
02/13/2025 2:37 PM



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**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 (45E) 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.

BALLAGH DAVID  
5200 SOUTH VAN DYKE ROAD  
UBLY, MI 48475

MILLER JOHN J &  
3124 HURON LINE ROAD  
CASS CITY, MI 48726

AGM ENTERPRISES LLC  
8054 HURON LINE ROAD  
MINDEN CITY, MI 48456

FRAZER PRESBYTERIAN CHURCH  
3006 WEST HURON LINE ROAD  
CASS CITY, MI 48726

KUBE BARBARA LE/TRUST  
3142 STEIN ROAD  
BAD AXE, MI 48413

HACKER JEWELL LE/TRUST  
5445 SOUTH VAN DYKE ROAD  
UBLY, MI 48475

GLASS DONALD & ANDREA  
2960 HURON LINE ROAD  
CASS CITY, MI 48726

FIBRANZ AUTUMN M  
2960 HURON LINE ROAD  
CASS CITY, MI 48726

ROBERT MC LACHLAN REV LIVING TRUST  
2886 WEST HURON LINE ROAD  
UBLY, MI 48475

Matthew Hatch  
Sheridan Township Clerk  
4686 S. Van Dyke Road  
Ubly, MI 48475

SAP 2025-02

3 BOC Legislative  
Members

Bill Renn  
6206 Campbell Road  
Pigeon, MI 48755

Jeremy Polega  
832 Port Crescent Rd  
Port Austin, MI 48467

George Lauinger  
710 Kuhl Road  
Bay Port, MI 48720

Rich Swartzendruber  
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Bad Axe MI 48413

James Leonard  
66 Buschlen Road  
Bad Axe, MI 48413

Bernie Creguer  
3037 Limerick Road  
Kinde, MI 48445

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Caseville, MI 48725

J. Dean Smith  
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