

Suttons Bay Planning Commission:

We have enclosed the following information as a reminder of what we have been through since Leelanau Water Sports have bought the property at 1274 S. Peck Rd on a LAND CONTRACT In June of 2019. In our packet is the information we submitted to the ZBA.

1. The property has been for sale for over 40 years, on and off. We feel and major reason it has not sold is because the EXISTING SEPTIC SYSTEM WILL PROBABLY NEED TO BE REPLACE AND REMOVED, also the wet lands on the M22 side of this parcel. This was on the listing of Realtor Pam Mork back in 2004.

According to the information we have researched there is a difference between an Residential Septic System and a Commercial Septic System. The commercial system has stricter regulation than the residential . This has not been address on his site plan. If you have any questions the Benzie-Leelanau District Health Department has been very informative.

2. We have also enclosed a letter from EGLE on the driveway off of M22. Leelanau Water Sports has stated in his law suit in two different statements that he is waiting for approval from EGLE.

The letter we receive May 3,2022 no permit application has been received !!!

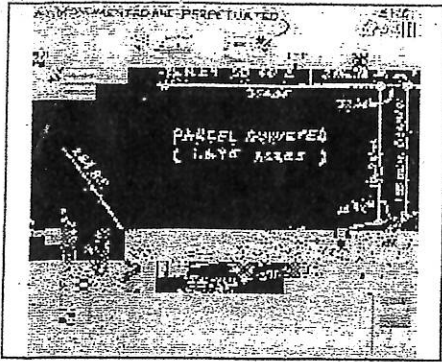
We feel because of all the mixed information coming from Leelanau Water Sports that his statements need to be clear and proven accurate as presented to the commission. The other question we have does he really own all those boats ? Upwards of two dozen boats show up during the summer months. At one point he wanted to add more boats to his rental fleet. Maybe proof of ownership is needed ?

If the commission is unable to get the finding of fact done within the 30 days requested by the Judge, we feel the letter written by your Township lawyer on Sep. 23,2020 be enforced until this mater is resolved. The business should not be able to function for his 4th season illegally.

Thank you,

Wayne and Sharon Livingston
May 9th 2022

Professional Report



Commercial **MLS # 1631693** **List Price: \$225,000**
For Sale/Lease: For Sale **Apx SqFt:** 1,000 **Lease/SqFt:**
Deeded Water: No **Less 1 Ac:** No **Lease/Mnth:**
County: Leelanau **Twshp:** Suttons Bay **Sec #** 33
Water: **Access:** **Wtrfrnt Ft:**
Sub: N/A **Lot #** **Current Zoning:** Comm
Dimensions: 284x450x161x273 **Business Name:** N/A
Owner: DeGrow **Appx Yr Blt:** **Remodeled:** 1998
Tax ID: 45-011-033-030-00 **Tax Amt \$** **Appx # Acres:** 1.69
Type: Commercial **Restrooms:** 1 **Parking Spaces:**
Virtual Tour:

New

1274 S PECK RD

Unit #

City: Suttons Bay

Zip: 49682

Business Type: See Remarks
Location: Inside Lot, Freestanding
Construction: See Remarks
Basement: Crawl Space
Roof: Asphalt Shingle
Flooring: See Remarks
Licenses: None
Extras: None
Incl in Rent: None - N/A
Financing: Cash

Heat/Cool Type: Forced Air
Heat/Cool Source: Propane Gas
Water: Private Well
Waste: See Remarks
Zoning: Commercial
Road: Cnty, State, Paved
Possession: At Closing

Gross Sales:	Rental Income:	Incl Business: No
Fix/Equip Value:	Inventory Value:	Incl Inventory: No
Annual Ins Exp:	Annual Heat Exp:	Incl Real Estate: Yes
Annual Elec Exp:	Electric Supplier:	Spec Assess: No
Rental Expense:	Lease Expires: 04/30/04	Renewable: No
Annual Assoc Fee:	No. Employees:	

This prime exposure commercial property is the site of an older manufactured home that was renovated and rented (will soon be vacant). Adjacent to party store, in an expanding area of home improvement businesses. Existing septic system will probably need to be removed and replaced.

Advertising Remarks

This prime exposure commercial property is the site of an older manufactured home that was renovated and rented. Adjacent to party store, in an expanding area of home improvement businesses.

Directions

From TC: N on M-22 app 13 miles, or just 1.5 miles south of Suttons Bay Village. Turn east on Peck Rd., 3rd parcel on left.

List Office ID/Name: 22407302 C21 PEARSON-COOK/S.BAY **Phone:** (231) 271-2121
List Agent ID/Name: PAMELA A MORK **Phone:** (231) 271-6686
List Agreemt Type: Exclusive Right to Sell **Vacant:** No **Sign:** Yes **Confidential:** **Dual MLS #**
Buyer Broker Comp: 4.0 **Subagent Comp:** 0 **Other Comp:** 0 **DOM:** 0 2/16/2004

Selling Office ID/Name: **Phone:**
Selling Agent ID/Name: **Phone:**
Sold Price: **Date Sold:** **Terms:**

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From: **Schmidt, Robyn (EGLE)** SCHMIDTR1@michigan.gov
Subject: **1274 Peck Road, Suttons Bay**
Date: **May 3, 2022 at 4:22:01 PM**
To: **sliving@me.com**

Sharon Livingston,

Thank you for contacting EGLE, Water Resources Division, Water Resources Program regarding the above-referenced site. As discussed, EGLE completed a pre-application meeting in 2021 to discuss a potential access road off M-22/S West-Bay Shore Drive. EGLE has not received a permit application for this property, and therefore, has not made a permit decision (i.e., issue, modify then issue or deny the application). Let me know if you have any questions, or if I can provide any additional information. Thank you.

Robyn Schmidt
Water Resources Division-Cadillac District Office
Michigan Department of Environment, Great
Lakes, and Energy (EGLE)
231-383-5952 | SchmidtR1@Michigan.gov
Follow Us | Michigan.gov/EGLE

MiWaters help: EGLE-WRD-MiWaters@michigan.gov | egle-assist@michigan.gov | 800.662.9278

- M-22) and construct a privacy fence.
- Goal is to move the commercial operation to M-22, no vehicles going in and out of Peck Rd. (approved by the Road Commission)

Questions from Planning Commission and answers from Patrick Otto

- Q - Where is the driveway to be located
- A - MDOT has approved a driveway away from Barrels & Barrels in a tentative location pending IGLE approval.
- Q - Looking at the site plan, what are plans for parking boats, turn around space, storage, restrooms, emergency vehicles, service trucks and employee parking.
- A - House will be pulled out of the back area in Spring of 2022. The office and shop will be built at the same time. Boats will be stacked two deep along the east side and west side. Will be driveway in the back for emergency vehicles on east of Peck Rd. Plan on putting the fences and landscaping in this spring. Will be crushed limestone parking lot. Will have handicapped parking area.
- Q - Requirement for parking
- A - Steve Patmore - employees come in and unload boats, no finished area for employee parking.
- A - Mr. Otto - currently have no Leelanau Watersports vehicles. Delivery drivers are using their own SUV's or pickup trucks. In future will have Leelanau Watersports vehicles that tow boats. This company purchased 4 years ago from the principal of Glen Lake which was based out of Leland and Cedar and now it is in Suttons Bay. There are other locations in Cadillac and Higgins Lake.
- Q - Where do the boats go that are rented?
- A - Some people rent the boats for the season. Some people rent the boats as extras when have family come to town. These boats are kept on the renters docks. Most are several day rentals. There are a lot of boats and a lot of trailers that are parked there.
- Q - What is the site plan we are supposed to be reviewing.
- A - Steve Patmore, site plan was sent to the planning commissioners, does not include any new building, doesn't show gravel driveway. Looking at a change of use, and the only improvements are a new driveway, buffering and fencing.
- Q - What are the size of trees and fencing?
- A - Would plant arborvitaes and put fencing back 6-8 feet from the north property line.

See letter
→
o

Permits
?

10 ft
Set
back,

- 7
- See letter ?
- Q - Can you share the approvals you have received?
 - A - Driveway contingent on approval of the site plan and EGLE has to sign off on where the driveway can be.
 - Q - Where is the fence going to be, no buffer planting shown on any of the borders, type of material for driveway - shouldn't the proposed improvements be on the site plan?
 - A - (D. Rathnaw) - If applicant doesn't get the permits, the site plan is void.
 - Q - What are hours of operation?
 - A - 8 a.m. to 8 p.m.
 - Q - Daily maintenance.
 - A - Typically no daily maintenance involved short of filling them up at one of the gas stations in the area. The fuel tank on site is for filling everyone of the boats. Boats are wiped down every morning.
 - Q - Seasonal maintenance?
 - A - Boats are under warranty, go to the local marinas. Have changed oil before under controlled circumstances. Have 3,000 sq ft shop in Manton where do maintenance.
 - Q - Winterizing?
 - A - Done on site, wrap boat with plastic and put some supports in there. Heat gun shrinks it to the boat.
 - Q - Storage, bathroom.
 - A - Is liveable home on the property has bathroom facilities.
 - Q - Would like to actually see where the boats are going to be stored and where the driveway will be.
 - Q - What triggers site plan review?
 - A - Steve Patmore - New building, new area that triggers site plan review in Article 19.

Dee McClure/moved, Dennis Rathnaw/supported, to extend the meeting to 8:30 p.m., passed.

Attorney Opinions Received

- All attorney opinions received refer to Leelanau Watersports and use by right under commercial zoning. Legal opinions on both sides.
- Planning Commission could release the Township Attorney's Opinion to the public.