



# CASS COUNTY PLANNING COMMISSION

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*Dan Stutsman • David Kring • Jayne Bailey • Richard Palmisano • Annie File  
Roseann Marchetti • Samuel Barrera • Dianna McGrew • Tyler Augst*

**Wednesday, April 24 at 4:00 PM**

**Cass County Building**

**120 N. Broadway**

**Conference Room 210**

**Cassopolis, MI 49031**

1. Call to Order
2. Roll Call
3. Approval of Agenda
4. Approval of Minutes — March 27, 2024
5. Public Comment
6. New Business
  - a) Ontwa Township Zoning Amendment
  - b) Pokagon Township PA 116 Request
  - c) Porter Township Zoning Amendment
7. Old Business
  - a) Master Plan
8. Other Business
9. Adjournment

## CASS COUNTY PLANNING COMMISSION

March 27, 2024

The regular meeting of the Cass County Planning Commission was called to order by chairman Dan Stutsman at 4:02. In addition to Stutsman, commissioners present were: Tyler Augst, Sam Barrera, Jayne Bailey, Annie File, Dianna McGrew and Richard Palmisano. Members missing were: Roseann Marchetti, Dave Kring and Char Hiemstra.

Guests were representatives from Wayne and Pokagon Townships including Linda Preston, Pokagon Township Supervisor. Representatives of the Village of Vandalia were present as well as township delegates. McKenna's Rebecca Harvey, Senior Consultant and Paige Brodeur, Planning Assistant were present for kick-off meeting of Cass County's Master Plan.

MOTION by File, second by Palmisano to approve agenda. Motion carried.

MOTION made by Augst to approve February 28 minutes with correction of chairman Stutsman's name from Don to Dan. support came from Barrera and motion passed.

It was noted that Milton Township's Zoning Administrator, Eileen Glick sent a Letter of Intent to Update that township's current Master Plan.

Linda Preston presented for Pokagon Township's rezoning of one-half of parcel #14-110-015-260-30 (1.52 acres) from Residential to Light Industrial. All commissioners at the township level voted in favor of the request as it complies with their current zoning. MOTION made by Barrera to approve this zoning request. Second by McGrew. Motion passed.

Request for rezoning came from Silver Creek Township Planning Commission for 3 parcels as portions of 725 N. Front Street, Dowagiac. (#130-036-013-00, #130-036-012-00, #130-036-011-00) All township planning commissioners voted in favor of changing district zoning classification from Agriculture/Residential to Commercial. MOTION made by Barrera with a second by McGrew to approve Silver Creek's rezoning. Palmisano expressed concerns of possible contamination of ground surface and water caused by parked vehicles brought in by True's Towing. Augst pointed out that the rezoning is in compliance with Future Land Use Map and coincides with the M-51 Corridor for Commercial use. Motion carried with one opposing vote by Palmisano.

Regarding the Letter of Intent sent by Cass County Road Commission announcing abandonment of undeveloped roads in the Village of Corey, Newberg Township, MOTION was made by File to approve intent of letter, seconded by Barrera and motion carried.

Rebecca Harvey began presenting on the Master Plan project with introductions and stated that letters of Intent to Update have gone out to proper entities. She mentioned that roughly 75 - 80% of the demographic studies and maps have been completed.

The following are monthly objectives to help reach the goal of Master Plan adoption:

MAY: On-line survey to be up and available for use.

JUNE: Open house month. Date to be determined in April regular meeting.  
(On-line survey will still be available at this time.)

JULY: Report on survey results. Ms. Harvey plans to be at regular July Planning Commission meeting.

AUGUST/SEPTEMBER: Draft of the Plan will be ready, complete with Future Land Use maps and Action Plan.

SEPTEMBER/OCTOBER: Full draft review will be presented with another opportunity in October for public input. (Possible additional open house.)

NOVEMBER-FEBRUARY: Projected adoption of the Master Plan is February.

This coming APRIL will be spent helping with survey and selecting a specific date in mid-June for the open house.

Paige Brodeur showed findings on demographics. Some key takeaways: Dowagiac is the largest commuting destination, unemployment is consistent with the State's and is steadily decreasing, and workforce is educated with over 55% having some college. Examples of topical maps were shown i.e.: wetlands and agricultural lands. Both of these are to be considered key resources.

Advertising for both on-line survey and open house was talked about. McKenna will help with design elements for flyers, postcards, web page and FaceBook page. Expertise of Ambrosia Neldon, Marketing and Communication Manager, will be very helpful here.

It was also mentioned that marketing and informational items used for presentation could be duplicated to be used at individual township or village open houses providing these entities are part of the Cass County Master Plan.

Chairman Dan Stutsman made the MOTION to set May 10, 2024 as the cut-off date for all townships/villages that wish to be included in the Plan. Support was given by File and the motion carried. It was noted here that giving additional time for possible joiners may require flexibility in some of the objectives as far as timing. Ms. Harvey stressed that flexibility is built into this process.

MOTION was made and duly supported to adjourn meeting. Meeting ended at 5:50.

Jayne Bailey



# Cass County Planning Commission

## Checklist



Dear Local Government Official:

When you send the Cass County Planning Commission material for their review, please use the attached checklist and include it with the other documents that you submit. Thank you.

- Signed cover letter requesting review and summarizing the process which has already occurred.
- Copy of the public hearing minutes.
- Copy of section of Township Land Use Plan that applies to/supports action.
- Copy of section of zoning ordinance, including amendments or supplements, which apply to/support action.
- For an initial zoning ordinance: 8 copies on loan with map(s).
- For text changes (amendments or supplements): those portions affected or a comprehensive summary of the changes and, if affected, the map.
- For petitions for rezoning, a copy of the petition with the map(s) showing: zoning of adjoining properties within 300 ft. for which action was taken and the parcel(s) of consideration and roads need to be clearly identified and labeled. If not included on the petition, the cover letter should indicate acreage, existing zoning, requested zoning, existing use and proposed use.
- Does the action taken by the Township concur with the Township Ordinance, Zoning Map and/or Land Use Master Plan for that property? If not, is the request eligible for Zoning Board of Appeals action?
- If any provision of public services is or will be involved, include correspondence from the affected unit expressing its awareness.

**IT IS RECOMMENDED THAT A MEMBER OF THE PLANNING COMMISSION ATTEND THE COUNTY PLANNING COMMISSION MEETING TO FURTHER EXPLAIN THE REQUEST AND TO ANSWER QUESTIONS.**

Date: 4/9/24

Signed: 

\*\*\*ONTWA\*\*\*

TOWNSHIP

Ontwa Township • Cass County • Michigan

[www.ontwatwp.org](http://www.ontwatwp.org) • 26225 U.S. 12 • P.O. Box 209 • Edwardsburg, MI 49112 • Fax: (269) 663-0072 • Phone: (269) 663-2347

To: Cass County Planning Commission  
From Ontwa Township Planning Commission  
Re: Zoning Ordinance Amendment 4/3/2024

To Whom it Concerns:

The Ontwa Township Planning Commission approved a Zoning Ordinance Amendment at its April 3<sup>rd</sup> meeting, which is attached for your review and consideration.

In general, the amendment removes building code references, as recommended by the Ontwa Township Attorney.

Please schedule the Cass County Planning Commission review of our amendments at your April 24<sup>th</sup> meeting (4pm). Also, please verify by email that this has been included in your meeting agenda.

[dabolock@gmail.com](mailto:dabolock@gmail.com)

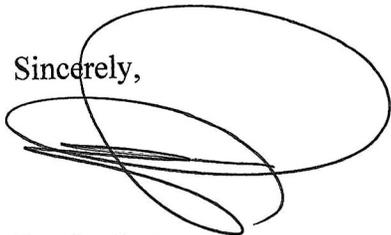
[sseanor1952@gmail.com](mailto:sseanor1952@gmail.com)

[Secretary@ontwa.org](mailto:Secretary@ontwa.org)

[Chris.marbach@sam.biz](mailto:Chris.marbach@sam.biz)

Thank you for your assistance,

Sincerely,



Sandra Seanor  
Ontwa Township Planning Commission  
Member

cc. Dawn Bolock, Zoning Administrator

## PLANNING COMMISSION DRAFT MINUTES

**WEDNESDAY April 3<sup>th</sup>, 2024 @ 7:00 PM**

**Members in Attendance:** Chris Marbach, Sandra Seanor, Meryl Christianson, Don Delong, Todd Haberland, Mike Mroczek, Shane Szalai

**Members Absent:** Richard Gates, William Mahaney

Chairman Marbach Opened the Public Hearing at 7:00 pm. There was no public comment. The Public Hearing was on Zoning Amendment Section 3:26. Chairman Marbach addressed the board, asking for comments and discussion. Discussion by board members concerning the proposed changes. Questions were asked concerning removal of building codes in the zoning ordinance. Updates to the zoning ordinance in the future will take place with the ordinance review committee meeting. Sandi Seanor made a motion to approve the Zoning Amendment changes, second by Todd Haberland. All in favor, motion carried. Public Hearing adjourned at 7:06 pm.

Chairman Marbach called the meeting of the Ontwa Township Planning Commission to order at 7:07pm

**Pledge of Allegiance:** All rose for the pledge of allegiance.

Chairman Marbach welcomed everyone, stating that there was a quorum present.

**Agenda:** Chairman Marbach asked if there were any changes, corrections or additions to the agenda as presented. Motion to approve by Mike Mroczek and Todd Haberland seconded. All were in favor, and the motion carried.

**Approval of February 7, 2024 Minutes:** Chairman Marbach asked for questions or corrections. He stated the Master Plan Update should read 2023 Annual Report. Change in miss spelled name will be corrected. Mike Mroczek made motion to approve minutes as amended, Second from Todd Haberland. All in favor. Motion carried.

**Land Divisions:** Bernard Thomas – 70441 Elkhart Road – land division split. Todd Haberland made a motion to recommend approval, Second by Sandi Seanor. All in favor. Motion carried.

**New Business:** No New Business

**Old Business:** No Old Business

### **Committee Reports:**

**Zoning Report** – Dawn Bolock, Zoning Administrator passed out 1<sup>st</sup> quarter 2024 permit reports.

**Master Plan Update:** Sandi Seanor stated that Williams and Works sent a proposal to update the Zoning Ordinance. Zoning review committee will meet and work on updates. Sandi went over the dates and meetings needed from the Township and Village prior to making updates. Sandi also noted the Trust Fund Grant Application was sent in and confirmation received. We should know by December 2024 if we will receive the grant money.

**Public Comment:** Jerry Duck thanked the board members for not allowing the 15 minutes cities. Jerry Marchetti announced Township Clean Up Days are scheduled for April 27<sup>th</sup> from 9am – 3 pm. Roseann Marchetti announced Cass County Hazardous Waste Collection is April 24<sup>th</sup> from 3-6 pm at the Road Commission.

**Announcements:** Chairman Marbach announced that the May Meeting will start at 6:30 pm with a Public Hearing.

**Adjourn Meeting:** Chairman Marbach adjourned the meeting 7:31pm.

Respectfully submitted:

Tina VanBelle, Recording Secretary

**ONTWA TOWNSHIP  
CASS COUNTY, MICHIGAN  
NOTICE OF PUBLIC HEARING**

Please take notice that the Ontwa Township Planning Commission will hold a public hearing on Wednesday, April 3, 2024, at 7:00 pm., at the Ontwa Township Hall located at 26225 US 12, Edwardsburg, MI 49112, to consider a proposed amendment to the Ontwa Township Zoning Ordinance.

The proposed amendments are summarized as follows:

- An amendment to Section 3.26 of the zoning ordinance is proposed that would delete subsections c, e, f, g, j, and m, and revise several other subsections. The regulatory effect of the proposed amendment is to remove provisions that are otherwise covered in the Michigan Building Code adopted by the Township and to ensure that dwellings are compatible with the design and appearance of other residences in the vicinity.

Copies of the Township proposed amendments, the zoning ordinance, and the zoning map are available for public viewing during regular business hours at the Township Hall, 26225 US 12, Edwardsburg, MI 49112, or on the Township website: [www.ontwatwp.org](http://www.ontwatwp.org).

Written comments will be received from any interested persons by the Ontwa Township Clerk at the Ontwa Township Hall during regular business hours and may be further received by the Planning Commission during the public hearing. Oral comments will be taken during the hearing.

If you are planning to attend this hearing and are handicapped requiring any special assistance, please notify the Township Clerk by calling (269) 663-2347 as soon as possible.

Tina VanBelle  
Ontwa Township Clerk

ONTWA TOWNSHIP  
CASS COUNTY, MICHIGAN

**Ordinance No. \_\_\_\_\_**

AN ORDINANCE TO AMEND THE ONTWA TOWNSHIP ZONING ORDINANCE (ORDINANCE 80-2, AS AMENDED); TO AMEND SECTION 3.26 RELATED TO RESIDENTIAL DWELLINGS, GENERALLY.

ONTWA TOWNSHIP, CASS COUNTY MICHIGAN, ORDAINS:

**Section 1. Amendment of Section 3.26.** Section 3.26 of the Ontwa Township Zoning Ordinance is amended to read in its entirety as follows:

SECTION 3.26. RESIDENTIAL DWELLINGS, GENERALLY.

- (a) All dwellings located outside of a manufactured housing community licensed by the Michigan Manufactured Housing Commission shall comply with the requirements of this Section 3.26. All construction required herein shall be commenced only after a building permit has been obtained in accordance with the applicable Michigan Building Code provisions and requirements.
- (b) There shall be a minimum floor area for all dwelling units equal to that specified in the zoning district where the dwelling is located, excluding attached or detached accessory buildings.
- (c) There shall be a minimum width horizontal dimension across any front, side, or rear elevation of at least twenty (20) feet measured between the exterior part of the walls.
- (e) Wheels, pulling mechanisms, tongues, axels, and the undercarriage shall not be visible from outside the dwelling, if applicable. If applicable, wheels shall be removed prior to placement or construction.
- (f) The dwelling shall be connected to a public sewer and water supply and/or a well or septic system approved by the County Health Department.
- (g) There shall be a minimum of a double pitched roof of not less than four (4) feet of rise for each twelve (12) feet of run.
- (h) There shall be no additions to the living space of the dwelling unless it meets all the requirements hereof and is built according to the same minimum standard and is of a similar quality of workmanship as the dwelling and approved by the Building Official.
- (i) Dwellings shall comply with all pertinent building and fire codes. In the case of a manufactured home, all construction and all plumbing, electrical apparatus and insulation

within and connected to said mobile home shall comply with all County and state regulations.

- (j) All dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity and be constructed using conventional building materials, forms, design, and generally neutral colors.. The compatibility of design and appearance shall be determined by the Zoning Administrator upon review of the plans submitted for a particular dwelling. Any determination of compatibility shall be based upon the standards set forth in this section as well as the character, design, and appearance of residential dwellings located outside of mobile home parks within five hundred (500) feet of the subject dwelling. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

**Section 2. Severability.** This Ordinance and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**Section 3. Repealer.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**Section 4. Effective Date.** This Ordinance is ordered to take effect seven (7) days following publication of adoption in a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

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Tina VanBelle, Clerk  
Ontwa Township

ONTWA TOWNSHIP  
CASS COUNTY, MICHIGAN

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- (b) There shall be a minimum floor area for all dwelling units equal to that specified in the zoning district where the dwelling is located, excluding attached or detached accessory buildings.
- ~~(c) There shall be a minimum floor to ceiling height of seven and one half (7-1/2) feet.~~
- ~~(dc) There shall be a minimum width horizontal dimension across any front, side, or rear elevation of at least throughout the entire length of the dwelling of twenty (20) feet measured between the exterior part of the walls having the greatest length.~~
- ~~(e) There shall be a foundation around the entire exterior perimeter of the dwelling of concrete or block of a minimum height of forty-two (42) inches below grade with a maximum height of sixteen (16) inches of exposed foundation and a minimum of 8 inches exposed foundation above grade of the same design as required by the construction code as adopted by the township for single family residences.~~
- ~~(f) As a minimum, there shall be a crawl space below the entire bottom of the dwelling of four (4) feet in depth with a vapor barrier consisting of two (2) inches of concrete on the floor of the crawl space provided with adequate drains to drain any accumulation of water in the crawl space. If soil conditions do not allow the construction of a crawl space, the Building Administrator may allow an alternative building plan to be utilized if consistent with the approved construction code of the township.~~

- ~~(g) The dwelling shall be firmly attached to the foundation so as to be water tight in such a way as water will not enter and shall be anchored to said foundation by an anchor system designed and constructed in compliance with the construction code enforced by the township and all pertinent federal or state construction regulations, including rules and regulations of the Manufactured Housing Commission, as applicable.~~
- (he) Wheels, pulling mechanisms, tongues, axels, and the undercarriage shall not be visible from outside the dwelling, if applicable. If applicable, wheels shall be removed prior to placement or construction.
- (if) The dwelling shall be connected to a public sewer and water supply and/or a well or septic system approved by the County Health Department.
- ~~(j) There shall be permanently attached to the foundation, steps and/or porch areas where an elevation differential exists between any door and surrounding grade.~~
- (kg) There shall be a minimum of a double pitched roof of not less than four (4) feet of rise for each twelve (12) feet of run.
- (lh) There shall be no additions to the living space of the dwelling unless it meets all the requirements hereof and is built according to the same minimum standard and is of a similar quality of workmanship as the dwelling and approved by the Building AdministratorOfficial.
- ~~(m) There shall be a minimum of two doors to provide means of ingress and egress from the dwelling.~~
- (in) Dwellings shall comply with all pertinent building and fire codes. In the case of a manufactured home, all construction and all plumbing, electrical apparatus and insulation within and connected to said mobile home shall comply with all County and state regulations. ~~Plans, floor plan layouts, and certification of meeting requirements of the Michigan Manufactured Housing Commission, if applicable, shall be presented along with a site plan showing compliance therewith and with all other requirements of the Zoning Ordinance, including but not limited to the requirements of the district in which it is located, to the Building Administrator prior to issuance of a building permit.~~
- (je) All dwellings shall be aesthetically compatible in design and appearance with other residences in the vicinity and be constructed using conventional building materials, forms, design, and generally neutral colors, with either a roof overhang of not less than six (6) inches on all sides or a roof drainage system which concentrates roof drainage at collection points along the sides of the dwellings. The compatibility of design and appearance shall be determined ~~in the first instance~~ by the Zoning Administrator upon review of the plans submitted for a particular dwelling. ~~An appeal by an aggrieved party may be taken to the Zoning Board of Appeals.~~ Any determination of compatibility shall be based upon the standards set forth in this section as well as the character, design, and appearance of residential dwellings located outside of mobile home parks within five hundred (500) feet

of the subject dwelling. The foregoing shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or relief from the common or standard designed home.

**Section 2. Severability.** This Ordinance and the various parts, sections, subsections, sentences, phrases, and clauses thereof are hereby declared severable. If any part, section, subsection, sentence, phrase, or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. The captions included at the beginning of each Section are for convenience only and shall not be considered a part of this Ordinance.

**Section 3. Repealer.** Any existing ordinance or resolution that is inconsistent or conflicts with this Ordinance is hereby repealed to the extent of any such conflict or inconsistency.

**Section 4. Effective Date.** This Ordinance is ordered to take effect seven (7) days following publication of adoption in a newspaper having general circulation in the Township, under the provisions of 2006 Public Act 110, except as may be extended under the provisions of such Act.

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Tina VanBelle, Clerk  
Ontwa Township

# Pokagon Township

Established 1829

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30683 Peavine St. Dowagiac, MI 49047  
(269) 782-8756 Fax (269) 782-5446

Cass County Planning Commission:

Please find enclosed a P.A. 116 application. Please review the application and respond with your comments to the Clerk at Pokagon Township 30683 Peavine St. Dowagiac, MI 49047

Thank you,

Christina Davis

Clerk

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**Supervisor**  
Linda Preston

**Clerk**  
Christina Davis

**Treasurer**  
Kevin Young

**Trustees**  
Robert N. Shaffer  
Gary Mihills



FARMLAND AND OPEN SPACE PRESERVATION PROGRAM

Application for Farmland Agreement

Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, more commonly known as PA 116.

Please print or type. Attach additional sheets as needed. Please read the Eligibility and Instructions document before filling out this form.

OFFICIAL USE ONLY
Local Governing Body:
Date Received 2-19-2024
Application No:
State:
Date Received
Application No:
Approved: Rejected

ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR

I. Personal Information:

1. Name(s) of Applicant: Tumbleson Larry L
Last First Initial

(If more than two see #15) Last First Initial

Marital status of all individual men listed on application, if more than one, indicate status after each name:

[X] Married [ ] Single

2. Mailing Address: 27901 Beuson St. Dowagiac MI 49047
Street City State Zip Code

3. Telephone Number: (Area Code) (269) 591-2990

4. Alternative Telephone Number (cell, work, etc.): (Area Code) (269) 591-0432 (spouse)

5. E-mail address: Ltumbleson214@gmail.com

II. Property Location (Can be taken from the Deed/Land Contract)

6. County: Cass 7. Township, City or Village: Pokagon

8. Section No. 13 Town No. Range No.

III. Legal Information:

9. Attach a clear copy of the deed, land contract or memorandum of land contract. (See #14)

10. Attach a clear copy of the most recent tax assessment or tax bill with complete tax description of property.

11. Is there a tax lien against the land described above? [ ] Yes [X] No

If "Yes", please explain circumstances:

12. Does the applicant own the mineral rights? [X] Yes [ ] No

If owned by the applicant, are the mineral rights leased? [ ] Yes [ ] No

Indicate who owns or is leasing rights if other than the applicant:

Name the types of mineral(s) involved:

13. Is land cited in the application subject to a lease agreement (other than for mineral rights) permitting a use for something other than agricultural purposes: [ ] Yes [X] No If "Yes", indicate to whom, for what purpose and the number of acres involved:

14. Is land being purchased under land contract [ ] Yes [X] No: If "Yes", indicate vendor (seller):

Name:

Address:

Street City State Zip Code

14a. Part 361 of the Natural Resources and Environmental Protection Act, 1994 Act 451 as amended, states that the vendor (seller) must agree to allow the land cited in the application to be enrolled in the program. Please have the land contract sellers sign below. (All sellers must sign).

Land Contract Vendor(s): I, the undersigned, understand and agree to permit the land cited in this application into the Farmland and Open Space Preservation Program.

Date

Signature of Land Contract Vendor(s) (Seller)

15. If the applicant is one of the following, please check the appropriate box and complete the following information (if the applicant is not one of the following – please leave blank):

- 2 or more persons having a joint or common interest in the land
- Corporation
- Estate
- Limited Liability Company
- Trust
- Partnership
- Association

If applicable, list the following: Individual Names if more than 2 Persons; or President, Vice President, Secretary, Treasurer; or Trustee(s); or Members; or Partners; or Estate Representative(s):

Name: Deborah E Tumbleson Title: owner

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Name: \_\_\_\_\_ Title: \_\_\_\_\_

(Additional names may be attached on a separate sheet.)

IV. Land Eligibility Qualifications: Check one and fill out correct section(s)  
This application is for:

- a. 40 acres or more → complete only Section 16 (a thru g);
- b. 5 acres or more but less than 40 acres → complete only Sections 16 and 17; or
- c. a specialty farm → complete only Sections 16 and 18.

16. a. Type of agricultural enterprise (e.g. livestock, cash crops, fruit, etc):

Grain

- b. Total number of acres on this farm 39
- c. Total number of acres being applied for (if different than above): 39
- d. Acreage in cultivation: 30
- e. Acreage in cleared, fenced, improved pasture, or harvested grassland: 0
- f. All other acres (swamp, woods, etc.) 3
- g. Indicate any structures on the property: (If more than one building, indicate the number of buildings):

No. of Buildings \_\_\_\_\_ Residence: 1 Barn: 1 Tool Shed: \_\_\_\_\_  
 Silo: \_\_\_\_\_ Grain Storage Facility: \_\_\_\_\_ Grain Drying Facility: \_\_\_\_\_  
 Poultry House: \_\_\_\_\_ Milking Parlor: \_\_\_\_\_ Milk House: \_\_\_\_\_  
 Other: (Indicate) \_\_\_\_\_

17. To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.

Please provide the average gross annual income per acre of cleared and tillable land during 2 of the last 3 years immediately preceding this application **from the sale of agricultural products (not from rental income):**

\$ 29 400.12 : 36 = \$ 816.67 (per acre)  
total income total acres of tillable land

18. To qualify as a specialty farm, the land must be designated by MDARD, be 15 acres or more in size, and produce a gross annual income from an agricultural use of \$2,000.00 or more. If a specialty farm, indicate average gross annual income during 2 of the last 3 years immediately preceding application from the sale of agricultural products: \$ \_\_\_\_\_  
Please note: specialty farm designation may require an on-the-farm site visit by an MDARD staff person.

19. What is the number of years you wish the agreement to run? (Minimum 10 years, maximum 90 years); 40

V. Signature(s):

20. The undersigned declare that this application, including any accompanying informational material, has been examined by them and to the best of their knowledge and belief is true and correct.

Larry Tumbleson  
(Signature of Applicant)

\_\_\_\_\_  
(Corporate Name, If Applicable)

\_\_\_\_\_  
(Co-owner, If Applicable)

\_\_\_\_\_  
(Signature of Corporate Officer)

2-19-2024  
(Date)

\_\_\_\_\_  
(Title)

**ALL APPLICATIONS MUST BE APPROVED BY LOCAL GOVERNING BODY ON OR BEFORE NOVEMBER 1 IN ORDER TO BE EFFECTIVE FOR THE CURRENT TAX YEAR.**

**RESERVED FOR LOCAL GOVERNMENT USE: CLERK PLEASE COMPLETE SECTIONS I & II**

I. Date Application Received: 2-19-2024 (Note: Local Governing Body has 45 days to take action)

Action by Local Governing Body: Jurisdiction: Pokagon  
 County  Township  City  Village

This application is  approved,  rejected Date of approval or rejection: \_\_\_\_\_

(If rejected, please attach statement from Local Governing Body indicating reason(s) for rejection.)

Clerk's Signature: Christa Davis

Property Appraisal: \$ \_\_\_\_\_ is the current fair market value of the real property in this application.

II. Please verify the following:

\_\_\_\_ Upon filing an application, clerk issues receipt to the landowner indicating date received.

\_\_\_\_ Clerk notifies reviewing agencies by forwarding a copy of the application and attachments

\_\_\_\_ If rejected, applicant is notified in writing within 10 days stating reason for rejection and the original application, attachments, etc. are returned to the applicant. Applicant then has 30 days to appeal to State Agency.

\_\_\_\_ If approved, applicant is notified and the original application, all supportive materials/attachments, and letters of review/comment from reviewing agencies (if provided) are sent to:

**MDARD-Farmland and Open Space Program, PO Box 30449, Lansing 48909**

**\*Please do not send multiple copies of applications and/or send additional attachments in separate mailings without first contacting the Farmland Preservation office.**

Please verify the following regarding Reviewing Agencies (Sending a copy to reviewing agencies is required):	<b>Before forwarding to State Agency, FINAL APPLICATION SHOULD INCLUDE:</b>
<b>COPY SENT TO:</b>	____ Copy of Deed or Land Contract (most recent showing <u>current ownership</u> )
____ County or Regional Planning Commission	____ Copy of most recent Tax Bill (must include <u>tax description</u> of property)
____ Conservation District	____ Map of Farm
____ Township (if county has zoning authority)	____ Copy of most recent appraisal record
	____ Copy of letters from review agencies (if available)
	____ Any other applicable documents

2019 SEP 20 PM 12:49

156773 Pages: 3 L: 1160 P: 1657  
RECORDED Cass County, Michigan  
Monica McMichael, Register of Deeds  
09/20/2019 12:50 PM  
Receipt #148659 Fee: \$30.00 DQC



SPACE ABOVE THIS LINE FOR RECORDER'S USE

## QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT:

LARRY TUMBLESON, Successor Trustee for The Michael J. Mangold Revocable Living Trust, dated December 12, 2019, the GRANTOR,

Whose address is 27901 Beeson St., Dowagiac, MI 49047;

HEREBY CONVEYS AND QUITCLAIMS TO:

LARRY TUMBLESON and DEBORAH TUMBLESON, husband and wife, the GRANTEE,

Whose address is 27901 Beeson St., Dowagiac, MI 49047;

All of THE FOLLOWING described real property situated in the Township of Pokagon, County of Cass, State of Michigan:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Tax Parcel Number: 14-110-013-230-00

MORE commonly known as: 58284 Wilbur Hill Rd., Dowagiac, MI.

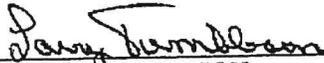
For the full consideration of TEN AND NO/100 DOLLARS (\$10.00); this deed is Exempt pursuant to MCL 207.526 §6(a) and MCL 207.505 §5(a)

SUBJECT TO the Restrictions, Conditions, Covenants, Rights, Rights of Way, and Easements now of record, if any.

NO TITLE INSURANCE AND NO OPINION OF TITLE RENDERED

Dated this 18 day of September, 2019.

Signed and Sealed:

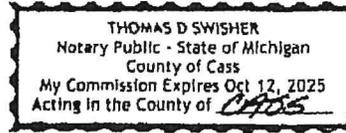
  
LARRY TUMBLESON  
Successor Trustee/Grantor

STATE OF MICHIGAN )  
 ) ss.  
COUNTY OF CASS )

Acknowledged by LARRY TUMBLESON before me on the 18<sup>TH</sup> day of September, 2019.

Signature: 

Printed name: Thomas D. Swisher



Notary Public, State of Michigan, County of Cass

My commission expires: 10/12/2025

Acting in the County of Cass

**After Recording, Return To:**  
Larry and Deborah Tumbleson  
27901 Beeson St.  
Dowagiac, MI 49047

**Send Subsequent Tax Bills To:**  
Larry and Deborah Tumbleson  
27901 Beeson St.  
Dowagiac, MI 49047

**Prepared By**  
THOMAS D SWISHER, Esq.  
Swisher Law Office, PC  
213 Pennsylvania Ave., P.O. Box 115  
Dowagiac, Michigan 49047  
Phone: (269) 783-1609

EXHIBIT A

The following described property located in the Township of Pokagon, County of Cass, State of Michigan to wit;

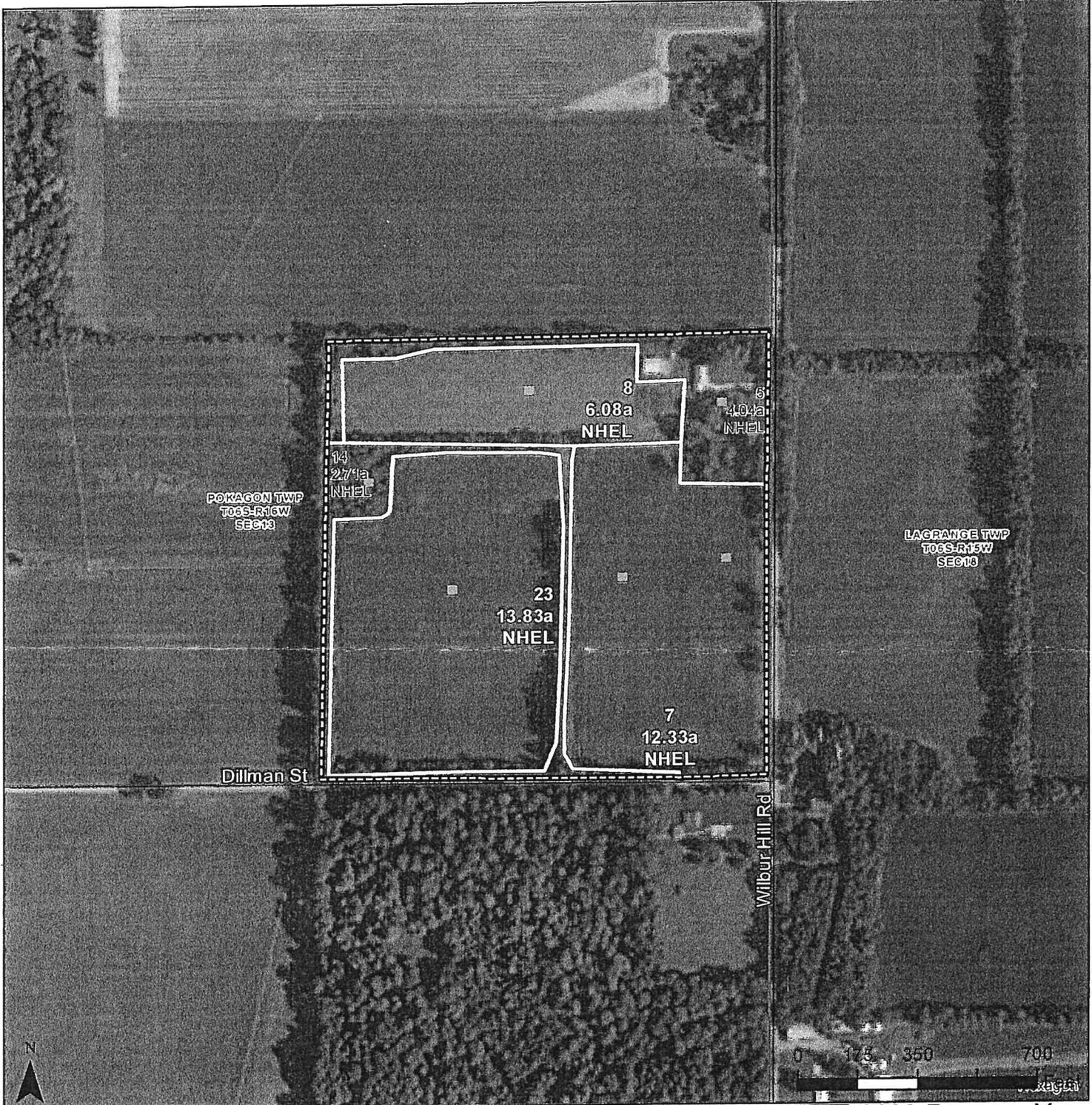
The Southeast quarter (SE  $\frac{1}{4}$ ) of the Northeast quarter (NE  $\frac{1}{4}$ ) of Section (13).

Tax ID #14-110-013-230-00 AH

**\*\*TREASURER IS NOT RESPONSIBLE FOR PAYMENTS MADE ON THE WRONG PROPERTY DESCRIPTION\*\***

<p><b>POKAGON TOWNSHIP</b>                  Winter 2023</p> <p>Parcel #: 14-110-013-230-00                  Property Assessed To:                  TUMBLESON LARRY &amp; DEBORAH                  27901 BEESON ST                  DOWAGIAC, MI 49047</p> <p>Property Address:                  DILLMAN &amp; WILBUR HIL</p>  <p>Property Class: 101      AGRICULTURAL-IMPRC                  School District: 14020      DOWAGIAC UNION SCH</p> <p><b>YOUR PRE/QUALIFIED AG EXEMPTION HAS REDUCED THIS BILL BY: \$2138.79</b></p> <p>1 mill equals \$1.00 per \$1000 of Taxable Value.</p>	<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">TAX DESCRIPTION</th> <th style="text-align: right;">MILLAGE</th> <th style="text-align: right;">AMOUNT</th> </tr> </thead> <tbody> <tr><td>E911</td><td style="text-align: right;">0.20000</td><td style="text-align: right;">23.76</td></tr> <tr><td>COA</td><td style="text-align: right;">0.98580</td><td style="text-align: right;">117.13</td></tr> <tr><td>CASS LIBRARY</td><td style="text-align: right;">0.74780</td><td style="text-align: right;">88.85</td></tr> <tr><td>DRUG ENFORCE</td><td style="text-align: right;">0.17510</td><td style="text-align: right;">20.80</td></tr> <tr><td>POKAGON ALLOC</td><td style="text-align: right;">0.75680</td><td style="text-align: right;">89.92</td></tr> <tr><td>DOWAG SCH TAX</td><td style="text-align: right;">18.00000</td><td style="text-align: right;">EXEMPT</td></tr> <tr><td>DOWAG SCH DEBT</td><td style="text-align: right;">5.10000</td><td style="text-align: right;">605.99</td></tr> <tr><td>SMC-OPERATING</td><td style="text-align: right;">2.39360</td><td style="text-align: right;">284.41</td></tr> <tr><td>HERITAGE SW OPER</td><td style="text-align: right;">0.19990</td><td style="text-align: right;">23.75</td></tr> <tr><td>HERITAGE SW SPEC</td><td style="text-align: right;">2.00280</td><td style="text-align: right;">237.97</td></tr> <tr><td>MEDICAL CARE FAC</td><td style="text-align: right;">0.49440</td><td style="text-align: right;">58.74</td></tr> <tr><td>POKAGON TWP FIRE</td><td style="text-align: right;">2.25000</td><td style="text-align: right;">267.34</td></tr> <tr><td>AMBULANCE NORTH</td><td></td><td style="text-align: right;">20.00</td></tr> </tbody> </table>  <p align="center" style="font-size: 1.2em;"><i>Check # 2229 12-10-2023</i></p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="text-align: right;">Total Mills/Tax</td> <td style="text-align: right;">33.30620</td> <td style="text-align: right;">1,838.66</td> </tr> <tr> <td style="text-align: right;">Administration Fee</td> <td></td> <td style="text-align: right;">0.00</td> </tr> <tr> <td colspan="2" style="text-align: right;"><b>TOTAL AMOUNT DUE</b></td> <td style="text-align: right; border: 2px solid black; border-radius: 50%; padding: 5px;"><b>\$1,838.66</b></td> </tr> </table>	TAX DESCRIPTION	MILLAGE	AMOUNT	E911	0.20000	23.76	COA	0.98580	117.13	CASS LIBRARY	0.74780	88.85	DRUG ENFORCE	0.17510	20.80	POKAGON ALLOC	0.75680	89.92	DOWAG SCH TAX	18.00000	EXEMPT	DOWAG SCH DEBT	5.10000	605.99	SMC-OPERATING	2.39360	284.41	HERITAGE SW OPER	0.19990	23.75	HERITAGE SW SPEC	2.00280	237.97	MEDICAL CARE FAC	0.49440	58.74	POKAGON TWP FIRE	2.25000	267.34	AMBULANCE NORTH		20.00	Total Mills/Tax	33.30620	1,838.66	Administration Fee		0.00	<b>TOTAL AMOUNT DUE</b>		<b>\$1,838.66</b>
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	TAX DESCRIPTION	MILLAGE	AMOUNT
<b>POKAGON TOWNSHIP</b> <b>Summer 2023</b>  Parcel #: 14-110-013-230-00 Property Assessed To: TUMBLESON LARRY & DEBORAH 27901 BEESON ST DOWAGIAC, MI 49047  Property Address: DILLMAN & WILBUR HIL   Property Class: 101      AGRICULTURAL-IMPRC School District: 14020      DOWAGIAC UNION SCH  .1 mill equals \$1.00 per \$1000 of Taxable Value.	COUNTY ALLOCATED S.E.T.	4.57020 6.00000	543.04 712.93
	Total Mills/Tax	10.57020	1,255.97
	Administration Fee		0.00
	<b>TOTAL AMOUNT DUE</b>		<b>\$1,255.97</b>
<b>TAX BASE VALUES</b>	<i>pd. 7-9-2023</i> <i>Check # 2163</i>		
Taxable Value:	Description of Lands or Personal Property: lengthy descriptions subject to space limitations		
State Equalized Value:	230 SE 1/4 NE 1/4 SEC 13 40 ACRES		
Assessed Value:			
Qualified Ag Exemption:			
% Declared Exempt:			
<b>OPERATING FISCAL YEARS</b>			
County:	<b>TOWNSHIP COLLECTION DATES ARE:</b>		
Twn/City/Village:	TUESDAY, JULY 11      4:00 - 6:00 PM		
School:	SATURDAY, JULY 22      9:00 - 11:00 AM		
State:	SATURDAY, AUGUST 5      9:00 - 11:00 AM		
Does NOT affect when the tax is due or its amount	TUESDAY, AUGUST 22      4:00 - 6:00 PM		
	SATURDAY, SEPTEMBER 9      9:00 - 11:00 AM		
	THURSDAY, SEPTEMBER 14      9:00 AM - 5:00 PM		
IF YOU HAVE QUESTIONS PERTAINING TO THIS TAX BILL PLEASE EMAIL ME AT: TREASURER@POKAGONTOWNSHIPMI.GOV  PLEASE MAKE CHECKS PAYABLE TO: POKAGON TOWNSHIP			



**Common Land Unit**  
 Common Land Unit\*  
 Tract Boundary  
 Section Lines

**Wetland Determination Identifiers**

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions
- Areas of Concern as of 11/1/22

This box is applicable **ONLY** for certification maps. Options only valid if checked.

Shares - 100% OP

<input type="checkbox"/> Certified Organic	<input type="checkbox"/> All Crops - Non-Irrigated
<input type="checkbox"/> CORN - YEL/GR	<input type="checkbox"/> WHEAT - GR (SRW or SWW)
<input type="checkbox"/> SOYS - COM/GR	<input type="checkbox"/> ALFALFA - FG or GZ
<input type="checkbox"/> DRY BEANS - DE	<input type="checkbox"/> MIXFG - FG or GZ

**2023 Program Year**  
 CLU Date: November 1, 2022  
 2022 NAIP Production Imagery\*

**Farm 10516**  
**Tract 597**

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland Identifiers do not represent the size, shape, or specific determination of the area. Areas of Concern represent potential wetland violations (CW, CW+Yr, CWNA, CWTE, MIW, MWM, WX) included in the NRCS Certified Wetland Determination dataset. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS). \*Tracts in other states will reflect NAIP 2020/2021. NAIP Early Access Production Imagery has gone through an initial quality control process but may not be final.

# THIS IS NOT A TAX BILL

## Notice of Assessment, Taxable Valuation, and Property Classification

This form is issued under the authority of P.A. 206 of 1893, Sec. 211.24 (c) and Sec. 211.34c, as amended. This is a model assessment notice to be used by the local assessor.

FROM: POKAGON TOWNSHIP WILLIAM J KAYS ASSESSOR 72883 CR 687 HARTFORD, 41 49057	<b style="text-align: center;">PARCEL IDENTIFICATION</b> PARCEL NUMBER: <span style="float: right;">14-110-013-230-00</span> PROPERTY ADDRESS: <p style="text-align: center; font-size: 1.2em;">DILLMAN &amp; WILBUR HIL</p>												
OWNER'S NAME & ADDRESS/PERSON NAMED ON ASSESSMENT ROLL: TUMBLESON LARRY & DEBORAH 27901 BEESON ST DOWAGIAC MI 49047	<b style="text-align: center;">PRINCIPAL RESIDENCE EXEMPTION</b> % Exempt As "Homeowners Principal Residence": <span style="float: right;">.00%</span> % Exempt As "Qualified Agricultural Property": <span style="float: right;">100.00%</span> % Exempt As "MBT Industrial Personal": <span style="float: right;">.00%</span> % Exempt As "MBT Commercial Personal": <span style="float: right;">.00%</span> Exempt As "Qualified Forest Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Exempt As "Development Property": <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No												
LEGAL DESCRIPTION: 230 SE 1/4 NE 1/4 SEC 13 40 ACRES													
ACCORDING TO MCL 211.34c THIS PROPERTY IS CLASSIFIED AS: 101 (AGRICULTURAL-IMPROVED)													
PRIOR YEAR'S CLASSIFICATION: 101 (AGRICULTURAL-IMPROVED)													
The change in taxable value will increase/decrease your tax bill for the 2024 year by approximately:	<b>\$140</b>												
1. TAXABLE VALUE:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%; font-size: x-small;">* PRIOR AMOUNT YEAR: 2023</th> <th style="width: 30%; font-size: x-small;">CURRENT TENTATIVE AMOUNT YEAR: 2024</th> <th style="width: 40%; font-size: x-small;">CHANGE FROM PRIOR YEAR TO CURRENT YEAR</th> </tr> </thead> <tbody> <tr> <td style="text-align: right;">118,822</td> <td style="text-align: right;">124,763</td> <td style="text-align: right;">5,941</td> </tr> <tr> <td style="text-align: right;">160,800</td> <td style="text-align: right;">165,200</td> <td style="text-align: right;">4,400</td> </tr> <tr> <td style="text-align: right;">160,800</td> <td style="text-align: right;">165,200</td> <td style="text-align: right;">4,400</td> </tr> </tbody> </table>	* PRIOR AMOUNT YEAR: 2023	CURRENT TENTATIVE AMOUNT YEAR: 2024	CHANGE FROM PRIOR YEAR TO CURRENT YEAR	118,822	124,763	5,941	160,800	165,200	4,400	160,800	165,200	4,400
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160,800	165,200	4,400											
160,800	165,200	4,400											
2. ASSESSED VALUE:	160,800												
3. TENTATIVE EQUALIZATION FACTOR:	1.000												
4. STATE EQUALIZED VALUE (SEV):	160,800												
5. There WAS or WAS NOT a transfer of ownership on this property in 2023	WAS NOT												
6. Assessor Change Reason:													

The 2024 Inflation rate Multiplier is: 1.05

Questions regarding the Notice of Assessment, Taxable Valuation, and Property Classification may be directed to the Following:

Name: WILLIAM J. KAYS	Phone: (269) 621-3604	Email Address: kayswj@gmail.com
<b>March Board of Review Appeal Information. The board of review will meet at the following dates and times:</b> THE 2024 BOARD OF REVIEW WILL MEET TO HEAR ASSESSMENT APPEALS, ON MONDAY, MARCH 11TH, 2024, FROM 9:00 AM TO 12:00 NOON AND 1:00 PM TO 4:00 PM. THURSDAY, MARCH 14TH 2024, FROM 1:30 PM TO 4:30PM & 6:00 PM TO 9:00 PM. POKAGON TOWNSHIP HALL, 30683 PEAVINE ST. DOWAGIAC, MI 49047. RESIDENTS AND NON-RESIDENTS MAY SEND LETTERS OF PROTEST, THEY MUST BE RECEIVED BY THURSDAY MARCH 14, 2024. SEND LETTERS OF PROTEST TO: WILLIAM J. KAYS, 72883 CR 687, HARTFORD, MI 49057. THE 2024 PROPERTY TAXES ARE BASED ON TAXABLE VALUE LINE #1. WITH PROPOSAL A IN EFFECT THE TAXABLE VALUES, EXCLUDING NEW CONSTRUCTION AND CHANGE OF OWNERSHIP ARE CAPPED AT THE RATE OF INFLATION, 5%		

**PORTER TOWNSHIP  
CASS COUNTY, MICHIGAN**

**REZONING OF PROPERTY IN SECTION 9**

**ORDINANCE NO. \_\_\_\_\_**

Adopted: \_\_\_\_\_, 2024

Effective: \_\_\_\_\_, 2024

An ordinance rezoning a certain legally-described parcel of property addressed as 69611 Sunset Blvd from the existing MHP Mobile Home Park Zoning District Classification to the LR Lake Residential District Zoning Classification; \ to amend the Township Zoning Map to reflect the rezoning; and to repeal all ordinances or parts of ordinances in conflict herewith.

**PORTER TOWNSHIP  
CASS COUNTY, MICHIGAN**

**ORDAINS:**

**SECTION I**  
**REZONE AND MAP AMENDMENT**

A certain parcel of property commonly addressed as 69611 Sunset Blvd., Union, Michigan withing the Township and identified as Tax Parcel Number 14-120-209-016-27 and legally described as:

"COM N 30 DEG 36'W 100 FT & N 25 DEG 59'10"W 79 FT FRM NW COR LOT 42 OAK POINT, TH N 25 DEG 59'10"W 26 FT, N 61 DEG 4'10"E 179.07 FT, N 32 DEG 21'15"E 90.59 FT, N 1 DEG 16'W 59.1 FT, S 89 DEG 38'50"E 261.14 FT, N 0 DEG 21'10"E 8.6 FT, S 89 DEG 51'5"E 350.83 FT, S 57 DEG 35'50"W 124.29 FT, S 15 DEG 35'30"W 265.89 FT, W 380.5 FT, N 4 DEG 30'30"W 92.45 FT, N 56 DEG 17'50"W 78.5 FT, S 76 DEG 24' 50"W 122.2 FT, S 57 DEG 22'30"W 66.8 FT TO BEG. SEC"

is hereby rezoned from the existing MHP Mobile Home Park Zoning District Classification to the LR Lake Residential Zoning Classification. The Porter Township Zoning Map is hereby amended to reflect the new LR zoning.

**SECTION II**  
**REPEAL OF CONFLICTING ORDINANCES AND EFFECTIVE DATE**

This ordinance takes on the 8<sup>th</sup> day following publication of notice of its adoption pursuant to Michigan Public Act 110 of 2006. All ordinances and parts of ordinances in conflict herewith are repealed.

**PORTER TOWNSHIP**

Beth Russell, Clerk  
69373 Baldwin Prairie Rd.  
PO Box 517  
Union, MI 49130  
269-641-2375  
[www.portertownship.org](http://www.portertownship.org)

**PORTER TOWNSHIP  
CASS COUNTY, MICHIGAN**

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is hereby rezoned from the existing MHP Mobile Home Park Zoning District Classification to the LR Lake Residential Zoning Classification. The Porter Township Zoning Map is hereby amended to reflect the new LR zoning.

**SECTION II**  
**REPEAL OF CONFLICTING ORDINANCES AND EFFECTIVE DATE**

This ordinance takes on the 8<sup>th</sup> day following publication of notice of its adoption pursuant to Michigan Public Act 110 of 2006. All ordinances and parts of ordinances in conflict herewith are repealed.

**PORTER TOWNSHIP**

Beth Russell, Clerk  
69373 Baldwin Prairie Rd.  
PO Box 517  
Union, MI 49130  
269-641-2375  
[www.portertownship.org](http://www.portertownship.org)

**PORTER TOWNSHIP PLANNING COMMISSION  
P.O. BOX 517, UNION, MI 49130  
BUSINESS OPEN MEETING MINUTES**

Chairman: Dave Nagy  
Vice Chairman & ZBA Rep: Chad Niblock  
Secretary: Patrick Williams  
Members: Rick Russwurm  
Vickie Hall  
Debra Hughes  
Township Trustee: Leard Wylie

**March 20, 2024, 6:20 PM EST**

The meeting was called to order by Chairman Nagy at 6:20 PM. Chairman Nagy took roll call. Members present are Nagy, Wylie, Russwurm, Hughes, and Hall. Members absent are Chad Niblock and Patrick Williams. A quorum was established therefore the meeting was allowed to proceed. Wylie moved to approve the agenda. Russwurm seconded. The motion passed unanimously. The minutes from the 03/15/2023, meeting was read. Wylie made a motion to accept the minutes, and Russwurm seconded. A vote was taken, and motion was passed unanimously.

**CORRESPONDENCE**

Chairman Nagy reported no correspondence since the last meeting.

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

Chairman Nagy made a motion to recommend rezoning Parcel ID 14-120-209-016-27, aka 69611 Sunset Blvd, Union, MI 49130 from MH to LR and seconded by Hughes. A discussion on the motion was held. A voice vote was taken: Russwurm-yes; Hall-yes; Wylie-yes; Hughes-yes; Nagy-yes. Motion passed.

Chairman Nagy made a motion to recommend the adoption of proposed ordinance to rezone Parcel ID 14-120-209-016-27, aka 69611 Sunset Blvd, Union, MI, and zoning map amendment to reflect this zoning change. This proposed ordinance was drafted by township attorney Roxanne Seeber.

A motion was made by Chairman Nagy and seconded by Russwurm to recommend the adoption of this proposed ordinance. A discussion on the motion was held. A voice vote was taken: Russwurm-yes; Hall-yes; Wylie-yes; Hughes-yes; Nagy-yes. Motion passed.

This proposed ordinance along with the Public Hearing meeting minutes and Porter Township Planning Commission's recommendation will be forwarded to the Cass County Planning Commission for their 30-day review period.

Proposed ordinance will then be given to Township Board for adoption. If adopted, the township will publish a summary and the proposed ordinance becomes effective eight (8) days after publishing.

All the above just creates a new zoning district and updates the Porter Township Zoning Map.

**PUBLIC COMMENT ON NON-AGENDA ITEMS**

No public comments were presented.

There being no further business, Wylie moved to adjourn. Russwurm seconded; motion carried unanimously. Adjourned at 6:45 PM

Respectfully submitted,

Vickie Hall, Porter Township Planning Commission member and David Nagy, Porter Township Planning Commissioner for Patrick Williams, Secretary Porter Township Planning Commission

**PORTER TOWNSHIP PLANNING COMMISSION  
P.O. BOX 517, UNION, MI 49130  
PUBLIC HEARING MINUTES**

Chairman: Dave Nagy  
Vice Chairman & ZBA Rep: Chad Niblock  
Secretary: Patrick Williams  
Members: Rick Russwurm  
Vickie Hall  
Debra Hughes  
Township Trustee: Leard Wylie

**March 20, 2024, 6:00 PM EST**

The Public Hearing was called to order by Chairman Nagy at 6:00 PM. Chairman Nagy took roll call. Members present are Nagy, Wylie, Russwurm, Hall, and Hughes. Members absent are, Chad Niblock and Patrick Williams. A quorum was established therefore the meeting was allowed to proceed.

Chairman Nagy explained the purpose of the public hearing was to gather input from the public on the rezoning request from Jerry W. Bontrager & Ruby J. Bontrager to rezone their property from MH (mobile home park) to LR (lake residential):

- Parcel ID #14-120209-016-27
- Address: 69611 Sunset Blvd., Union, MI 49130
- Owner of Record: Jerry W. Bontrager & Ruby J. Bontrager
- Acres: 3.67

Questions and comments were solicited from the floor. There were eight (8) residents in attendance.

- Howard Landis asked if there will be divisions of the subject parcel.
- Debra Landis asked about the access being an easement.
- Robin Hensel expressed concern that there would be road access on High Street to the property.
- Mr. & Mrs. Landis and Mr. & Mrs. Hensel and one other unidentified resident all expressed that they were in favor of the rezoning from MH to LR.

With no further comments or questions from the public, Chairman Nagy closed the Public Hearing at 6:19pm.

Respectfully submitted,

Vickie Hall, Porter Township Planning Commission member and David Nagy, Porter Township Planning Commissioner for Patrick Williams, Secretary Porter Township Planning Commission