ARMADA TOWNSHIP MACOMB COUNTY, MICHIGAN TOWNSHIP BOARD

NOTICE OF PUBLIC HEARING

FOR CONSIDERATION OF A VARIANCE TO THE LAND DIVISION REGULATIONS ORDINANCE

NOTICE IS HEARBY GIVEN, pursuant to Public Act 110 of 2006, as amended, that a public hearing will be held by the Armada Township Board at 7:00 PM, Tuesday, November 21, 2023 at Armada Township Hall Offices, 23121 East Main Street, Armada, MI 48005.

NOTICE IS FURTHER GIVEN, that the purpose of the public hearing is to hear and consider a variance to the proposed setbacks for two proposed parcels of land. The subject site is commonly known as 23625 33 Mile Road, between North Avenue and Omo Road (parcel ID# 13-02-25-300-016), consists of approximately 133 acres, and is zoned the R-1, Residential District. The applicant, 4 Grand Farms, LLC, requests a variance from the Land Division Ordinance, Article IX, Paragraph 2 and Paragraph 4(h), to split the property creating two, nonconforming side yard setbacks (each at 14.4-feet) for the existing barns (accessory structures). Per Section 9.03 of the Zoning Ordinance (Area, Height, and Placement Requirements of the R-1 District), a minimum side yard setback of 15-feet (one-side) is required.

NOTICE IS FURTHER GIVEN, that copies of the variance application may be examined at Armada Township Hall Offices, 23121 East Main Street, Armada, MI 48005 during regular business hours, Monday-Thursday, 9:00 AM-4:00 PM until the date of the hearing. Written comments may be addressed to the Township Board at the Township Hall address. Oral comments will be taken during the hearing on November 21, 2023.

Mary K. Swiacki, CMMC, MiPMC Armada Township Clerk

Published: 11/1/23



Armada Township – Macomb County – Michigan 23121 East Main Street, Armada, MI 48005

Land Division Ordinance: Variance Request Application – FEE \$640

Poud

The Township Board may grant a variance from the provisions of the Armada Township Land Division Regulations Ordinance on a finding that undue hardship or practical difficulty will result from strict compliance with specific provisions or requirements of the Ordinance or that application of such requirement is impracticable. The Township Board shall only grant variances that if deems necessary to or desirable for the public interest. In making its findings, as required in this section (Article XI-Variance), the Township board shall take into account the nature of the proposed use of land and the existing use of land in the vicinity, the number of persons to reside or work in the proposed subdivision, and the probable effect of the proposed subdivision upon traffic conditions in the vicinity. No variance shall be granted unless the Township Board finds that:

A) There are such special circumstances or conditions affecting the property that the strict application of the provisions of this Ordinance would clearly be impracticable or unreasonable. In such cases, the subdivider shall identify for the Township board, in writing, the specific provision or requirement involved in the variance request. Further, the subdivider shall clearly present to the Township Board, in writing, the special circumstances or conditions affecting the property that render compliance with the Ordinance to be impracticable or unreasonable. Applicant answer:

B) The granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated. Applicant answer:

C) The variance will not violate the provisions of the Land Divisions Act. Applicant answer:

Master Plan of the Township or the comprehensive	e development plan of the Township. Applicant
answer:	
The growsed Split is to	allow the Highest & best
use of both parcels	
This hardship is not	a result of H Grand
Farms own actions	

D) The variance will not have the effect of nullifying the interest and purpose of this Ordinance, the

The Township Board shall record its findings and actions in the meeting minutes. The Township Board shall review the record prior to making a decision on any variance request. The Township Board shall either approve or deny the variance request based on the criteria outlined above. The Township Board shall clearly indicate, on the record, its reasons for approving or denying all variance requests.

Adopted by Armada Township Board of Trustees: August 11, 2021

APPLICATION INFORMATION SHEET:

I. APPLICANT
Applicant's Name + Grand Farms, LC Robert Cruco
Address 26135 Fox Creek
City/Township Bichmond State MI. Zip 48662
Phone 586 4133700 Email rances della concrete. Com
II. APPLICANT'S REPRESENTATIVE (IF DIFFERENT FROM APPLICANT)
Name
Address
City/Township
Phone Email
III. PROPERTY INFORMATION Property address 33635 33 mile Rd. Armada Tuy General location Between Worth Avenue & Omo Rd.
Legal Description: Attached: On plans:
Property ID Number 13-02-25-300-016
Property Size (acres) 133.103 Frontage (feet) 4351
Existing Zoning: R-1 Residential District.
IV. SIGNATURES (This application must be signed by both the applicant and the legal owner of the property.) The undersigned deposes that the foregoing statements and answers and accompanied information are true and correct:
Signature of Applicant Signature of Property Owner

Robert F. Grucz			
Printed/Typed Name of Applicant			
A FIDAL/IT OF OWNEDCHID OF LAND			

H Grand Farms, LC Printed/Typed Name of Property Owner

Macamb, County, Michigan

AFIDAVIT OF OWNERSHIP OF LAND

State of Michigan, County of:	
of (Address) The Owner / member of	rite Rd., Hrmada Tup 4800
Being duly sworn, depose(s) and say(s) as follow	ws:
I. The owner(s) of the property described on the	he attached
Warranty DeedLand Contract	Other Document (specify)
Is/are as follows: Name(s) and addresses: Howard farms, U.C. 3	14135 Fox Creek, Richmond MI 4906
This property is subject of a <u>Variance</u> Submitted to the Township of Armada, Michiga II. I/We authorize	
Name	
Address	
City/Township State	Zip
Phone Email	
To be my/our designated representative(s) in the representation and commitments on my/our be my/our request.	
Signature of Property Owner(s)	***
Robert F. GRUCE	
Printed/Typed Name of Property Owner(s)	-20
	Subscribed and sworn to me on The day of october 20 33
	Notary Public

JAMIE LYNN PAYETTE
Notary Public - State of Michigan
County of Macomb
My Commission Expires Jul 1, 2024
Arting in the County of Macomb

My commission expires:

NOTICE OF VARIANCE

Property owners are required to file a Notice of Variance (Sample attached) with the Macomb County Register of Deeds. This is to be recorded with the Deed on all properties that a variance has been granted by the Armada Township Board of Trustees.

NOTICE OF VARIANCE

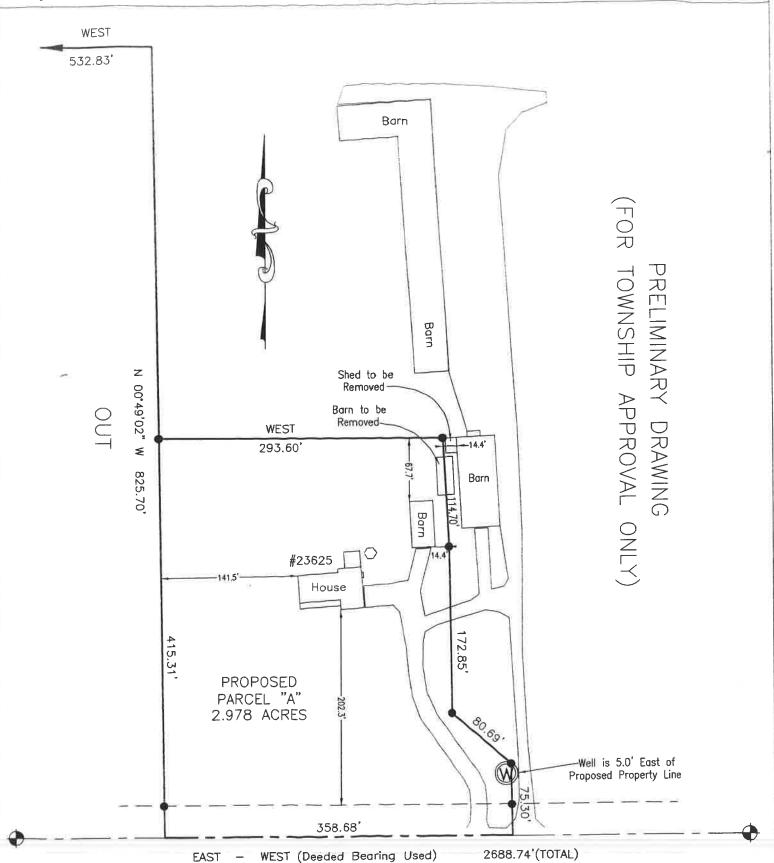
DATE:	
, (Petitioner-P	Property Owner) of
(address) is the owner of real property located at _ Macomb County, Michigan, being more particularly	(common address),
Petitioner requested a certain variance(s) for Division Ordinance to permit (describe the request	rom the terms of the Armada Township Land ted variance)
The Armada Township Board, at its meeting variance(s), subject to certain express conditions so "Motion). A copy of the Motion including condition	
NOW THEREFORE, in consideration of the farmada in granting the requested variance(s) the Farmada in granting the requested variance(s) the Farmada in granting the requested variance set forth Petitioner and Owner acknowledge that a breach of grounds for termination of the variance.	in the Motion approving the variance. The
The terms and conditions of this variance sl benefit of and bind the Petitioner and Owner, their transferees of the above described property.	hall run with the land and shall inure to the ir successors and assigns, and any subsequent
WITNESSES:	PETITIONER/PROPERTY OWNERS:
	-

CERTIFICATE OF SURVEY PROPOSED SPLIT

Project No. ARMADA #

ARMADA 1/50

BOB GRUCZ 23625 33 MILE ROAD ARMADA, MI



33 MILE ROAD (66' R.O.W.)

LEGEND

- SET CONC. MON.
- O FOUND IRON
- SET IRON
- ☐ FND. CONC. MON.
- △ COMPUTED LOCATION

Drawn by

TLE JR

- (R) RECORDED
- MEASURED (M)
- (C) CALCULATED

09/18/23

(PR) PRORATED

Date

POLARIS SURVEYING, P.L.L.C. 7679 CAPAC ROAD

YALE, MICHIGAN 48097

PH: 810.395.8515 CELL: 810.650.2471 E-MAIL: tle.PolarisSurveying@gmail.com

I hereby certify that thave surveyed and mapped the above or attached described parcel(s) of land and that the error of closure is no greater than 1 in 5000 and that the survey is in full compliance with Section No. 3 Act 132 P.A. 1970

Approved by Page

TLE

00000000000 OF MIC TIMOTHY LOWELL EDIE LICENSE NO. 4001053496 POPESSIONAL

Timothy L. Edie, P.S. #4001053496

ARMADA 1/50

3

1" = 100'

ARMADA #

2

23625 33 Mile Rd, Armada, MI 48005-3902, Macomb County

APN: 13-02-25-300-016 CLIP: 5777723474



Beds N/A

Full Baths 2

Half Baths

Sale Price \$1,785,000

Sale Date 08/15/2022

Bldg Sq Ft 5,004

Lot Sq Ft 5,797,836 Yr Built 1974

Туре **FARMS**

OWNER INFORMATION

Owner Name Tax Billing Address 4 Grand Farms LLC 26135 Fox Creek Ct Richmond, Mi

Taxpayer Zip Taxpayer Address ZIP + 4 Code Owner Occupied

48062 3845 Yes

COMMUNITY INSIGHTS

Taxpayer Address City & State

Median Home Value Median Home Value Rating Total Crime Risk Score (for the neig hborhood, relative to the nation) Total Incidents (1 yr) Standardized Test Rank

\$319,929 6/10 76 / 100 14

74 / 100

School District Family Friendly Score Walkable Score

Q1 Home Price Forecast Last 2 Yr Home Appreciation

ARMADA AREA SCHOOLS

91 / 100 39 / 100 \$330,040 9%

LOCATION INFORMATION

School District Census Tract Census Block Group Property Zip Code Zip + 4Property Carrier Route City/Village/Township

Armada Area 2120.00 48005 3902 R004 Armada Twp

Township Section Range Flood Zone Code Flood Zone Panel Flood Zone Date Within 250 Feet of Multiple Flood Z

05N 25 13E Х 26099C0134G 09/29/2006 Yes (A, X)

TAX INFORMATION

Property ID Parcel ID Assessment Year State Equalized Value (SEV) Tax Year Annual Tax

Summer Tax Year Legal Description

13-02-25-300-016 0225300016 2023 \$421,800 2023

\$7,545 2023

Summer Tax Prior Summer Tax Year Prior Year Summer Tax Prior Winter Tax Year Prior Year Winter Tax Prior Year Tax Amount Exemption(s)

\$7.545 2022 \$5,588 2022 \$3,296 \$8,884 Homestead

Homestead Percent

69.5%

2023

Taxable Value

\$327,764

ASSESSMENT & TAX

2022 2023

Period

Winter

Summer

Assessment Year Assessed Value - Total YOY Assessed Change (\$) YOY Assessed Change (%) State Equalized Value (SEV) Capped Value

\$421,800 \$2,200 0.52% \$421,800 \$289,355 2022 \$419,600 \$5,400 1.3%

2021 \$414,200

Tax Year 2021

> Tax Amount Tax Year \$3,296

Total Tax \$8,639 \$8,884 \$7,545

Change (\$)

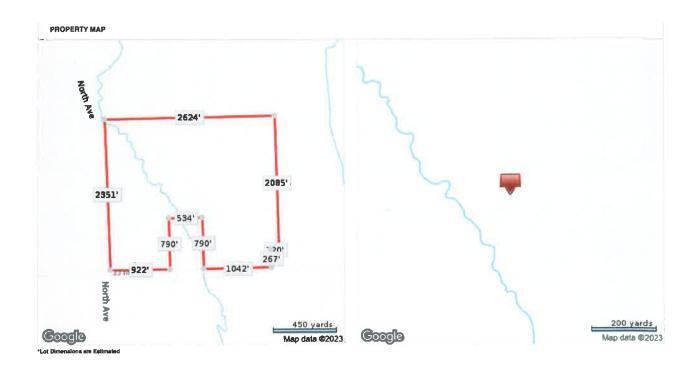
Change (%)

Administrative Fee

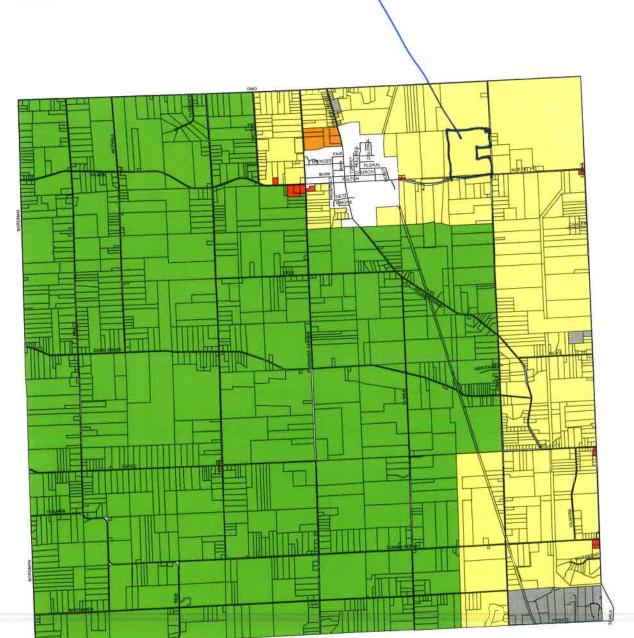
2022

2022

\$5,588



Frontage 1042 922 2351 4351 Feet



Legend

- AG AGRICULTURAL-PRESERVATION DISTRICT
- R-1 RESIDENTIAL DISTRICT
- RM MODERATE FAMILY RESIDENTIAL
- B-1 BUSINESS
- M-1 INDUSTRIAL

Subject Reporting

ZONING MAP

Armada Township Macomb County, Michigan

Prepared By: Armada Township Planning Commission Adopted By: Armada Township Board of Trustees on September 8, 2004



Copyright 2001, Macomb County Michigan

RET'D FOR CORR. OCT 0 3 2022

Macomic County Treasurer BY

This cartification does not include current taxes now being conected. Date 9-22-30-32

202200123067

L: 28882 P: 189

Total Pages: 3 11/01/2022 09:33 AM Fees: \$30.00 Anthony G. Forlini, Clerk/Register of Deeds Macomb County, MI

MICHIGAN REAL ESTATE TRANSFER TAX 202200123067 Tax Stamp #1469311 11/01/2022 09:33 AM Macomb County, MI

Receipt# R-22-95731
County Tax: \$1963.50 State Tax:



WARRANTY DEED

50-22836579-GCM

KNOW ALL PERSONS BY THESE PRESENTS: That: Anne M. Klein Revocable Living Trust, Dated November 11, 1989, as amended and restated, ("Grantor")

the address of which is: 56804 Mound Road, Shelby Twp., MI 48316

convey(s) and warrant(s) to: 4 Grand Farms, LLC, a Michigan limited liability company, ("Grantee")

the address of which is: 26135 Fox Creek Court, Richmond, MI 48062

the following described premises situated in the Township of Armada, County of Macomb, State of Michigan, to wit:

SEE EXHIBIT A

also known as Property Address: Vacant North Ave., as to Parcel ID No.13-02-25-100-005 (Parcel 1); 23625 33 Mile Rd., as to 13-02-25-300-016 (Parcel 2), Vacant 33 Mile Rd., as to Parcel ID No. 13-02-36-100-006 (Parcel 3), and Vacant North Ave., as to 13-02-26-200-029 (Parcel 4) Armada Township, MI 48005

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.

The Grantor grants to the Grantee the right to make All division(s) under Section 108 of the Land Division Act, Act No. 288 of the Public Acts of 1967, as amended.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, for the sum of One Million Seven Hundred Eighty Five Thousand and 00/100 Dollars (***\$1,785,000.00***).

Subject to existing building and use restrictions and easements of record and zoning ordinances, and rights of ways, including but not limited to: East Branch Cook Creek across the land as disclosed by the county tax map, Rights, if any, of the United States government, the State of Michigan, any other governmental entity, riparian owners, the public or private persons existing in or with respect to the present and past bed, banks, bottomland and waters of East Branch Coon Creek, Any adverse claim based upon the assertion that some portion of the Land is bottom land or Any adverse claim based upon the assertion that some portion of the Land or has been created by artificial means or has accreted to such portion so created, and Rights of the public and of any governmental unit in any part of the land taken, used or deeded for a public or private street, drive, road or highway purpose.

When Recorded return to: Robert F. Grucz 26135 Fox Creek Court Richmond, MI 48062 Send Subsequent Tax Bills To: Grantee

ATA National Title 36800 Gratiot Ave. Clinton Twp., MI 48035 Drafted By:
Michael Larco
56804 Mound Road
Shelby Twp., MI 48316
Assisted by: ATA National Title Group,
LLC

Dated this August 15, 2022

Signed by:

Anne M. Klein Revocable Living Trust, Dated November 11, 1989, and amended and restated

by: Michael Larco

its: Co- Successor Trustee

State of Michigan

)SS.

County of Macomb

The foregoing instrument was acknowledged before me on this 15th day of August, 2022 by Michael Larco, Co-Successor Trustee the of Anne M. Klein Revocable Living Trust, Dated November 11, 1989, as amended and restated..

> MATT WESORICK NOTARY PUBLIC, STATE OF MI COUNTY OF WAYNE MY COMMISSION EXPIRES Feb 27, 2025 ACTING IN COUNTY OF MACOM &

Notary Public: matt wesonck

Notary County: wounter Commission Expires: 2 27125

State: m4

Acting In: MArcanb

EXHIBIT "A"

Land situated in the Township of Armada, County of Macomb, State of Michigan

Parcel 1:

The South 1/2 of the Northwest 1/4 of Section 25, Town 5 North, Range 13 East, except the West 60.0 feet for relocation of North Avenue; also except commencing at West 1/4 post of Section 25; thence continuing North 89 degrees 39 minutes 42 seconds East 1687.83 feet along East-West line; thence North 88 degrees 23 minutes 53 seconds West 1689.13 feet; thence South 0 degrees 40 minutes 34 seconds East 59.19 feet to point of beginning.

Parcel 2:

Town 5 North, Range 13 East, Section 25, commencing at the Southwest corner Section 25, thence East 60.0 feet along South section line to point of beginning; thence North 0 degrees 49 minutes 02 seconds West 2389.62 feet along East right of way line of North Avenue, thence North 89 degrees 42 minutes 01 seconds East 930.86 feet; thence North 89 degrees 44 minutes 35 seconds East 1699.48 feet, thence South 0 degrees 48 minutes 02 seconds East 2101.03 feet along North-South 1/4 line, thence West 120.0 feet, thence South 0 degrees 48 minutes 02 seconds East 300.0 feet, thence West 1044.63 feet along South section line, thence North 0 degrees 49 minutes 02 seconds West 825.70 feet, thence West 532.83 feet, thence South 0 degrees 49 minutes 02 seconds East 825.70 feet, thence West 930.91 feet along South section line to point of beginning.

Parcel 3:

Part of the Northwest 1/4 of Section 36, Town 5 North, Range 13 East, Armada Township, Macomb County, Michigan described as beginning at the Northwest corner of said Section 36; thence due South 1068.73 feet along the West line of said section; thence South 89 degrees 39 minutes 45 seconds East 1084.00 feet; thence due North 1066.75 feet; thence North 89 degrees 30 minutes West 1084.00 feet along the North line of said section to the point of beginning.

Parcel 4:

A parcel of land located in the Northeast 1/4 of Section 26, Town 5 North, Range 13 East, Armada Township, Macomb County, Michigan, and being more particularly described as follows: Commencing at the East 1/4 corner of said Section 26; thence North 59.20 feet along the East line of Section 26; thence North 87 degrees 42 minutes 59 seconds West 60.05 feet to the point of beginning; thence extending North 847.94 feet; thence North 87 degrees 03 minutes 54 seconds West 189.75 feet; thence South 00 degrees 14 minutes 00 seconds West 273.43 feet along the Easterly right-of-way line of North Avenue as relocated; thence 589.82 feet along the arc of a curve concave to the East (radius= 1,849.86 feet) and whose long chord is described as bearing South 08 degrees 54 minutes 04 seconds East 587.32 feet; thence South 87 degrees 42 minutes 59 seconds East 99.82 feet to the point of beginning.

Commonly known as Property Address: Vacant North Ave., as to Parcel ID No.13-02-25-100-005 (Parcel 1); 23625-33 Mile Rd., as to 13-02-25-300-016 (Parcel 2), Vacant 33 Mile Rd., as to Parcel ID No. 13-02-36-100-006 (Parcel 3), and Vacant North Ave., as to 13-02-26-200-029 (Parcel 4) Armada Township, MI 48005

- H. Two Family Dwelling (Section 16.34).
- Medium solar energy systems
- J. Large solar energy systems

Section 9.03 AREA, HEIGHT AND PLACEMENT REQUIREMENTS.

A. In the R-1 district, the following area, height, density, bulk and placement regulations shall apply:

Without Public Sewer

Minimum parcel size:

43,560 square fee

Minimum lot width: 165 feet, corner lots 215 fee

Minimum lot depth: 200 feet

- B. All parcels created after the adoption of this Ordinance shall have a maximum depth-to-width ratio of 5-to-1. This shall not apply to the remainder of the parent parcel or parent tract if such is retained by the proprietor. Lots that legally existed and were recorded prior to the amended Ordinance may be developed, provided they meet the yard setback requirements of this Article.
- C. Maximum height of structures: Two (2) stories; thirty-five (35) feet. D.
- D. Minimum lot setbacks:

Front yard (measured from each road centerline):

MCDR - 33 mile red-Local-

32 Mile Road, Capac Road Wolcott Road, Old Farm Trail	125 feet
Major Roadway -	110 feet
Collector Roadway -	93 feet
Local Roadway	80 feet

For sites fronting on two streets, a front yard setback in accordance with the requirement above shall be maintained on each street Ord. 2011-114-24 Effective Date 08/03/11

15 feet Least side yard: 30 feet Total of both sides: 60 feet Rear yard: 25 percent Lot coverage:

E. Minimum floor area in square feet:

noor area in square reer.	1 st floor	2 nd Floor
Total One (1) story One and one-half (1½) story: Two (2) story:	1,000 sq. ft. 800 sq. ft. 650 sq. ft.	1,000 sq. ft. 1,200 sq. ft. 1,300 sq. ft.
1 WO (2) Story.	000 04	0.5

Where a single-family home is constructed without a basement, an additional one hundred (100) square feet shall be added to the minimum required first floor area requirement to provide space for utilities, such as, but not limited to, hot water heater, laundry tubs and the like.

ARTICLE IX - R-1 - RESIDENTIAL ZONING DISTRICT

Section 9.00 STATEMENT OF INTENT

This area provides for higher density, single-family development, limited commercial and industrial uses proximate to the Villages of Armada and Romeo. Limited utility extensions would be allowed in these areas, provided that the timing of any extensions coincide with the higher density. This residential district would provide for a range of housing choices with varying densities based upon the availability of utilities. Planned neighborhoods and subdivisions are anticipated in this district.

Section 9.01 USES PERMITTED

- A. Single-Family Dwellings.
- B. Open Space Communities.
- C. Family Day-Care (1-6 children).
- D. Public Schools.
- E. Township Municipal Buildings and Uses.
- F. Home Based Business.
- G. Accessory buildings, structures and use customarily incidental to any of the uses when located on the same property.
- H. Farms as defined in 8.01 A., B., E., F. and G.
- Small solar energy systems

Section 9.02 SPECIAL APPROVAL LAND USES.

The following special approval land uses may be permitted by the Township Board after a recommendation by the Township Planning Commission:

- A. Bed and Breakfasts (Section 16.07).
- B. Cemeteries (Section 16.10).
- C. Churches (Section 16.11).
- D. Golf Courses, Ball Fields and Athletic Fields (Section 16.20).
- E. Group Day-Care (7-12 children) (Section 16.21).
- F. Private Clubs, Fraternal Organizations, Lodge Halls, Cultural Centers and Union Halls (Section 16.29).
- G. Public Utility Buildings (Section 16.30).