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5200 Civic Center Drive  
Waterford, Michigan 48329-3773  
Telephone: (248) 674-6238 Fax: (248) 674-4097  
[www.waterfordmi.gov](http://www.waterfordmi.gov)

**DEVELOPMENT SERVICES  
DEPARTMENT**

Jeffrey M. Polkowski, AICP  
Director

Dave Hills  
Superintendent of Building  
Division

Scott Alef  
CDBG Coordinator

## MEMORANDUM

Date: September 5, 2023  
To: Honorable Township Board Members  
From: Jeffrey Polkowski, Director of Development Services  
RE: Case No. 2023-Z-018 Rezone a portion of a parcel from M-1, Light Industrial to R-1A, Single-Family Residential  
Location: NW side of Foley St at the railroad tracks, SW of Andersonville Rd  
Applicant: Aaron Baughey

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The subject property's residential use and industrial zoning both date back to the mid-20th century. The applicant is looking to rezone the portion of the property that is used for residential purposes so that his home is no longer considered a non-conforming use. Non-conforming uses cannot expand, undergo substantial improvement, or be rebuilt if they sustain substantial structural damage.

### Planning Commission Recommendation and Findings

The Planning Commission reviewed this proposed rezoning at the regularly scheduled meeting on August 29, 2023, and resolved unanimously to forward a favorable recommendation to the Township Board.

### Motions

Based upon the Planning Commission's favorable recommendation at the August 29, 2023 regular meeting for this Zoning Ordinance amendment, should the Board want to consider adopting the requested rezoning, the appropriate motion would be to introduce the attached Ordinance and schedule it for possible adoption at the September 25, 2023 meeting. However, if the Board does not want to adopt the requested rezoning, the appropriate motion would be to not introduce the Ordinance and deny the zoning amendment.

Should you have any questions prior to Monday's meeting please do not hesitate to reach out to me.

# Planning & Zoning Department

## REZONING REVIEW

August 29, 2023 Meeting

Report by Justin Daymon

|                                |   |                         |                                 |
|--------------------------------|---|-------------------------|---------------------------------|
| <b>Application Number</b>      | PRSA 23-07-04   | <b>Action Requested</b> | Rezoning Approval               |
| <b>Request</b>                 | Rezone a portion of a parcel from M-1, Light Industrial to R-1A, Single-Family Residential  |                         |                                 |
| <b>Address</b>                 | 4159 Foley St   | <b>Parcel Number</b>    | 13-05-203-029                   |
| <b>Owner</b>                   | Aaron Baughey<br>4159 Foley St<br>Waterford, MI 48329   | <b>Applicant</b>        | Same                            |
| <b>Property Information</b>    |   |                         |                                 |
| <b>General Location</b>        | NW side of Foley St at the railroad tracks, SW of Andersonville Rd  |                         |                                 |
| <b>Property Size</b>           | 1.53 acres (total), 0.46 acres proposed to be rezoned   |                         |                                 |
| <b>Frontage</b>                | 87 ft along Foley St  |                         |                                 |
| <b>Current Zoning</b>          | M-1, Light Industrial   | <b>Proposed Zoning</b>  | R-1A, Single-Family Residential |
| <b>Master Plan Designation</b> | <p>Light Industrial:</p> <p>The intent of the Light Industrial designation is to primarily accommodate research, laboratory, wholesale activities, warehousing, light manufacturing, and planned industrial development, including development within planned industrial park subdivisions. This designation is intended to encourage innovations and variety in type, design and arrangement of industrial land uses, at all times protecting neighboring residential and commercial uses from any adverse environmental impacts. Outdoor storage is discouraged but, where permitted, should be substantially screened, particularly when adjacent to non-industrial land uses and thoroughfares. All uses within this designation should be adequately screened from adjacent residential land uses.</p> |                         |                                 |
| <b>Current Use</b>             | The residential use of the east/southeast portion of the property dates back to between 1940 and 1963. The light industrial use of the west/northwest portion of the property dates back to between 2000 and 2005.  |                         |                                 |
| <b>Zoning History</b>          | (1950) Manufacturing-1, (1963 to present) M-1, Light Industrial   |                         |                                 |
| <b>Surrounding Development</b> |   |                         |                                 |
| <b>North</b>                   | R-1A, Single Family Residential   |                         |                                 |
| <b>East</b>                    | M-1, Light Industrial   |                         |                                 |
| <b>South</b>                   | R-1C, Single Family Residential   |                         |                                 |
| <b>West</b>                    | M-1, Light Industrial   |                         |                                 |

### Request Summary

The subject property's residential use and industrial zoning both date back to the mid-20<sup>th</sup> century. The applicant is looking to rezone the portion of the property that is used for residential purposes so that his home is no longer considered a non-conforming use. Non-conforming uses cannot expand, undergo substantial improvement, or be rebuilt if they sustain substantial structural damage (2-702).

### Master Plan Conformity

The subject parcel is defined as M-1, Light Industrial within the Master Plan. While the proposed zoning is not in line with the Master Plan it is in line with its historic use. It is worth noting that the Township is in the process of having a new Master Plan drafted, and once adopted the new Master Plan's designation for the subject property may change.

### Zoning District Evaluation

The subject parcel meets the requirements for the minimum lot area and width of the proposed zoning district. The existing attached garage received a variance in 2017 to allow it to be built within 6.5 ft of the northeast property line.

**Comments:** Planning staff has no objection to the proposed rezoning.

**Planning Commission Approval Recommendation Guidelines**

The following is a summary of Section 4-009.3 of the Zoning Ordinance and the Planning Commission's approval recommendation guidelines that have been established for rezoning application requests:

Where the purpose and effect of the proposed amendment is to change the zoning classification of a particular property, the Planning Commission shall make its recommendations to the Township Board based upon the evidence presented to it in each specific case with respect to the following matters:

- A. The requested zoning change is consistent with the adopted Master Plan, as amended.

*Staff Comment: The rezoning request is not consistent with the Master Plan.*

- B. The requested zoning change is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.

*Staff Comment: The subject lot is adjacent to other residential districts on two sides.*

- C. The subject zoning lot's physical suitability to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.

*Staff Comment: The subject lot is physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.*

- D. The trend of development in the general area of the subject zoning lot is consistent with the requested zoning change.

*Staff Comment: The surrounding area is an uncommon mix of residential and industrial uses. The proposed rezoning would be consistent with the trend of development in the surrounding area.*

- E. The Township and other public agencies possess the capacity to provide all utility and public services that would be required for the range of uses permitted under the proposed zoning classification.

*Staff Comment: Public utilities are available to the site and the Township along with other related public service agencies possess the capacity to provide all utility and public services to the property.*

- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification will not result in any significant environmental impacts.

*Staff Comment: This rezoning request would decrease the intensity of the potential uses of the property.*

- G. Whether the amendment will be detrimental to the public interest.

*Staff Comment: It is unlikely that this zoning change will be detrimental.*

**Summary / Conclusions**

The rezoning request would bring the subject lot into conformity with its historic use and be in line with surrounding development. Staff is supportive of this change.

**Recommendation and Planning Commission Action**

Following the required public hearing, the Planning Commission shall provide a recommendation to the Township Board on the rezoning request. In making this recommendation, the Planning Commission shall consider the approval recommendation guidelines referenced above. Staff has attached a motion template for your use in formulating your recommendation.

Upon your review, if you have any questions or require additional information prior to Tuesday's meeting, please contact this office.

**MOTION TEMPLATE FOR PLANNING COMMISSION CASE NO. 23-07-04,  
Proposed Zoning Map Amendment to Rezone From:  
M-1, Light Industrial to R-1A, Single-Family Residential**

**Motion:**

I move to forward a favorable/unfavorable **[Strike One]** recommendation in Case No. 23-07-04 on to the Township Board, to rezone a portion of the subject parcel #13-05-203-029 from M-1, Light Industrial to R-1A, Single-Family Residential based on the following findings and conclusions under the Ordinance approval recommendation guidelines which are based on assessment of the information and statements presented in this case by or for the Township Staff, Applicant, and members of the public.

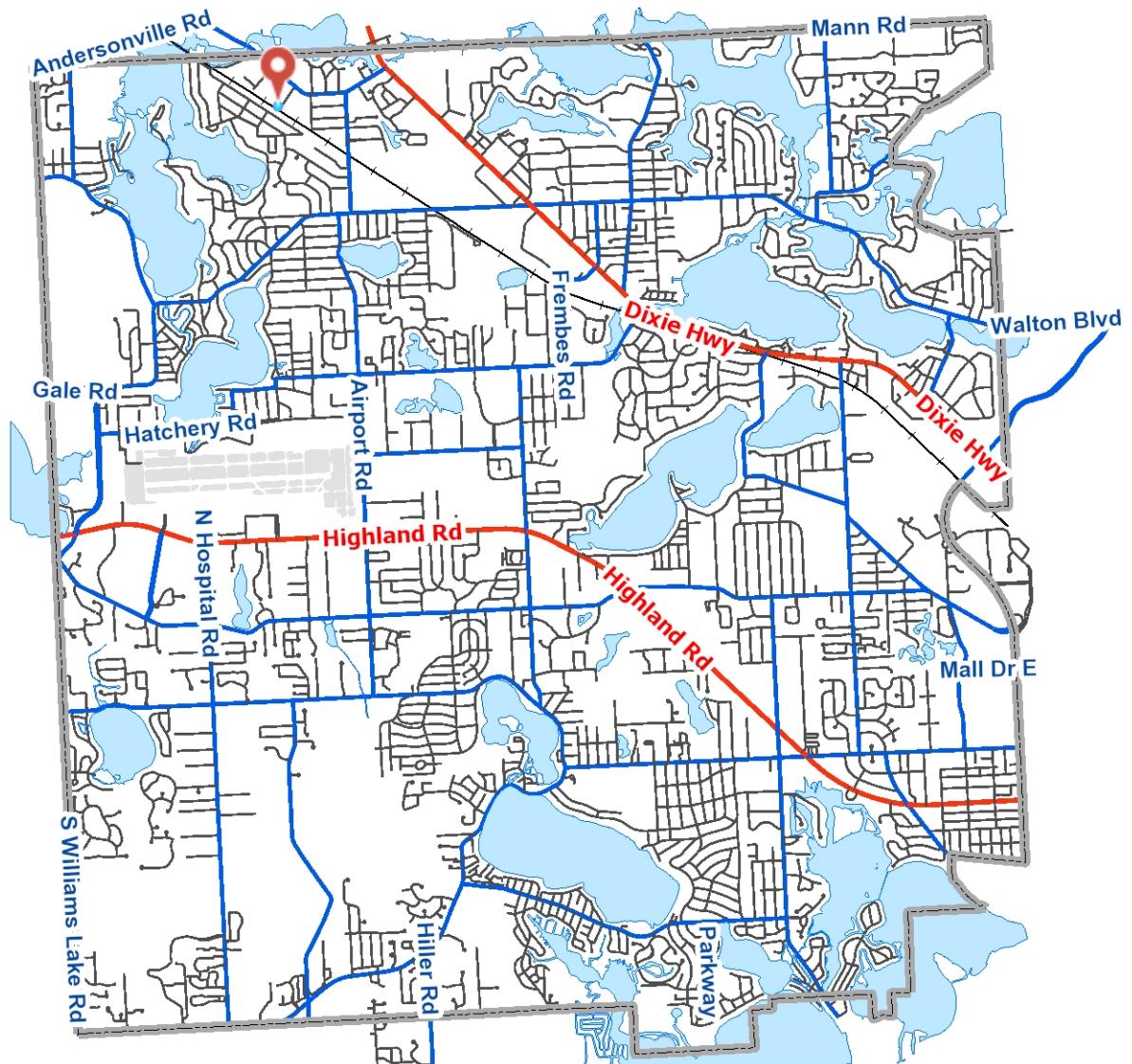
**Findings:**

- A. The requested zoning change **is not / is [Strike One]** consistent with the adopted Master Plan as amended.
- B. The requested zoning change **is / is not [Strike One]** is consistent with existing uses and zoning classifications of properties within the general area of the subject zoning lot.
- C. The subject zoning lot **is / is not [Strike One]** physically suitable to provide all dimensional and site requirements for the range of uses permitted under the proposed zoning classification.
- D. The trend of development in the general area of the subject zoning lot **is / is not [Strike One]** consistent with the requested zoning change.
- E. The Township and other public agencies **do / do not [Strike One]** possess the capacity to provide all utility and public safety services that would be required for the range of land uses permitted under the proposed zoning classification.
- F. The requested zoning change and the resulting range of uses permitted under the proposed zoning classification **will not / will [Strike One]** result in any significant environmental impacts.
- G. The proposed zoning amendment **will not / will [Strike One]** be detrimental to the public interest.



PRSA 23-07-04

## Location Map



1:72,224



12,037.3

0

6,018.65

12,037.3 Feet

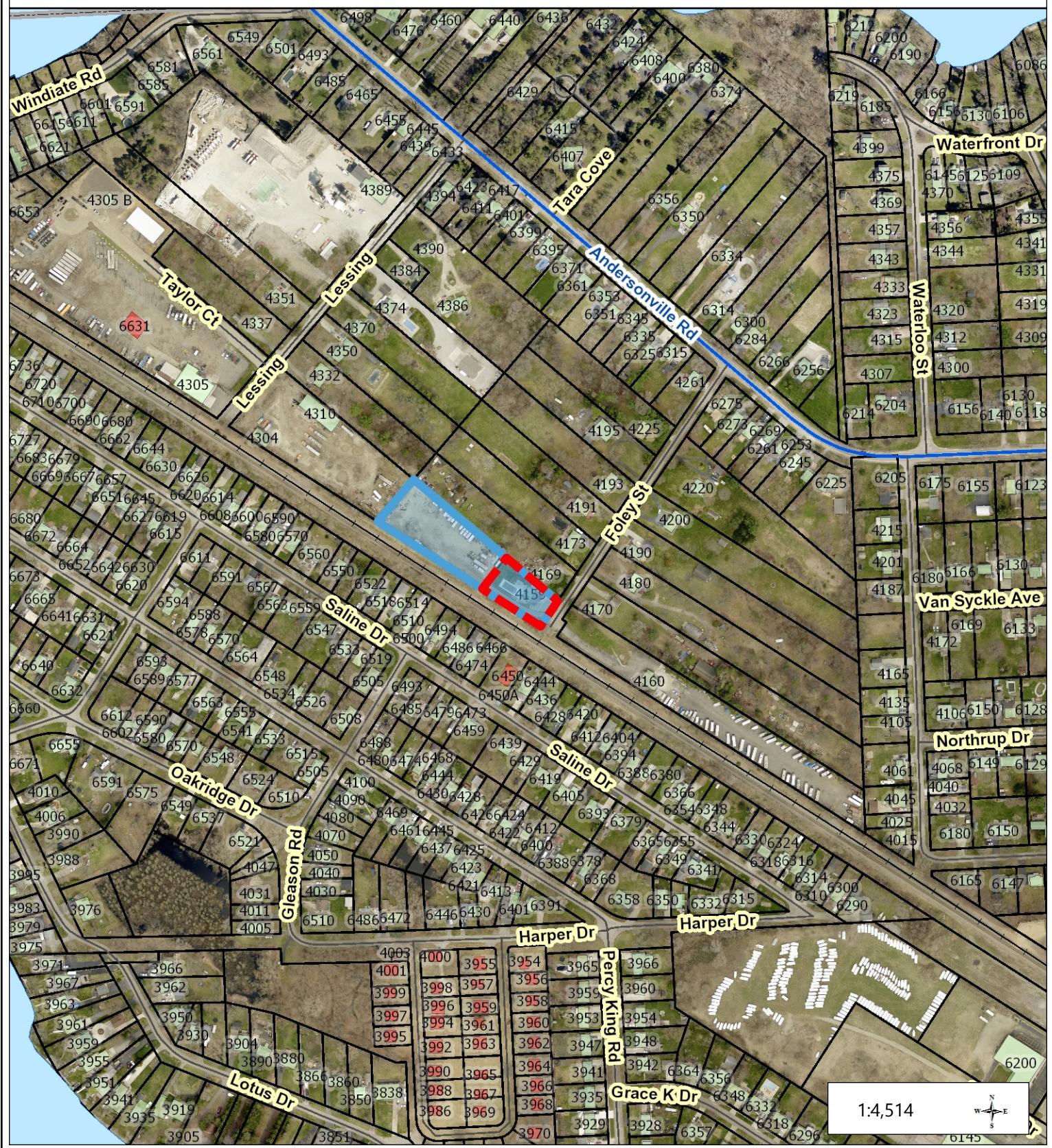
SOURCES: The Charter Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

DISCLAIMER: Information depicted hereon is for reference purposes only. It was compiled from the best available resources which have varying degrees of accuracy. This map is not a legally recorded map nor a survey and is not intended to be used as such. The Charter Township of Waterford assumes no responsibility for error that arise from this map.



PRSA 23-07-04

## Aerial Map



1:4,514



752.3

0

376.17

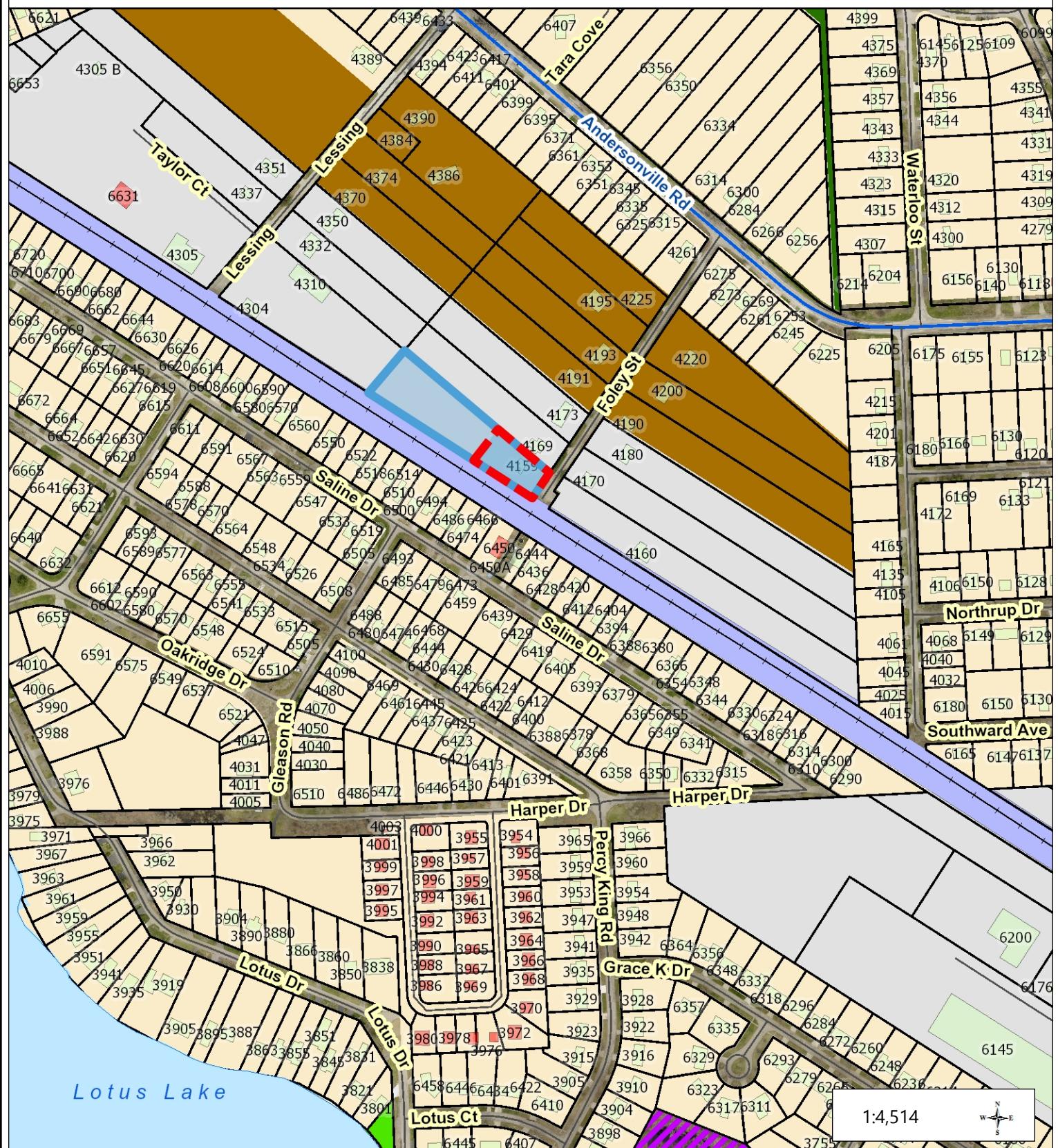
752.3 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data, Updated weekly.

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# PRSA 23-07-04 Master Plan Map



752.3

0

376.17

752.3 Feet

SOURCES: The Charter Township of Waterford and Oakland County, MI.  
Oakland County parcel data, Updated weekly.

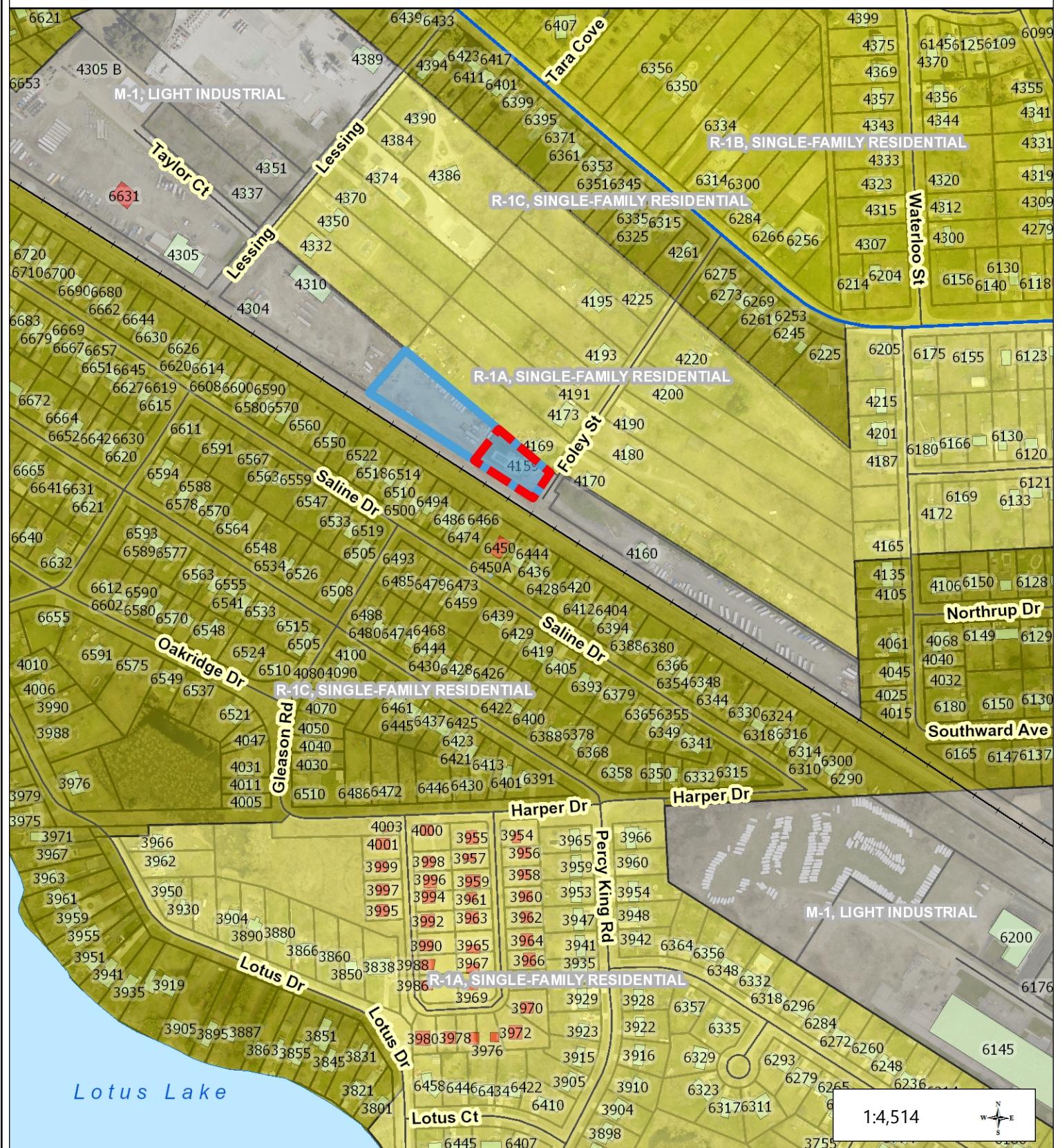
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1:4,514



PRSA 23-07-04

## Zoning Map



7523

0

376 17

7523 Feet

SOURCES: The Charters Township of Waterford and Oakland County, MI. Oakland County parcel data. Updated weekly.

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| Project Number | Extra Addresses  | PIN          | CVTTAXCODE | CVTTAXDESCRIPTION   | NAME1                         | NAME2               | POSTALADDRESS           | POSTALCITY | POSTALSTATE | POSTALZIP5 |
|----------------|------------------|--------------|------------|---|-------------------------------|---------------------|-------------------------|------------|-------------|------------|
| PRSA 23-07-04  | Agency Addresses |              |            | Thomas Pozolo, PE / MDOT                                    | MDOT Oakland                  | 800 Vanguard Dr     | Pontiac                 | MI         |             | 48341      |
| PRSA 23-07-04  | Agency Addresses |              |            | Cheryl Bush, OC Intl. Airport                               | Oakland County                | 6500 Patterson Pkwy | Waterford               | MI         |             | 48327      |
| PRSA 23-07-04  | Agency Addresses |              |            | The Road Commission for Oakland County                      |                               | 31001 Lahser Road   | Beverly Hills, MI       | 48025      |             |            |
| PRSA 23-07-04  | Review           | PIN          | CVTTAXCODE | CVTTAXDESCRIPTION   | NAME1                         | NAME2               | POSTALADDRESS           | POSTALCITY | POSTALSTATE | POSTALZIP5 |
| PRSA 23-07-04  | Review           | 1305251008 W |            | CHARTER TOWNSHIP OF WATERFORD MCM INVESTMENT PROPERTIES LLC | 1825 WILDFLOWER LN            |                     | MILFORD                 | MI         |             | 48380      |
| PRSA 23-07-04  | Review           | 1305251001 W |            | CHARTER TOWNSHIP OF WATERFORD GENARO ZUNIGA                 | MARIA GARCIA-21419 WEISS TRL  |                     | MARENGO                 | IL         |             | 60152      |
| PRSA 23-07-04  | Review           | 1305129039 W |            | CHARTER TOWNSHIP OF WATERFORD KIMBERLEY KIRKPATRICK         |                               | 234 CHERRY ST APT F | METAIRIE                | LA         |             | 70005      |
| PRSA 23-07-04  | Review           | 1305254014 W |            | CHARTER TOWNSHIP OF WATERFORD LISA ANN PARKER               | JACK DEVERS P/2806 FREMSES RD |                     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Review           | 1305203020 W |            | CHARTER TOWNSHIP OF WATERFORD STEVEN SQUIER                 | 4115 WINDIALE PARK DR         |                     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203029 W |            | CHARTER TOWNSHIP OF WATERFORD AARON BAUGHEY                 | 4159 FOLEY ST                 |                     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203028 W |            | CHARTER TOWNSHIP OF WATERFORD ALLEN D DOYON                 | 4169 FOLEY ST                 |                     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203039 W |            | CHARTER TOWNSHIP OF WATERFORD RONALD SLAGHT                 | MARY SLAGHT                   | 4173 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305254012 W |            | CHARTER TOWNSHIP OF WATERFORD STEPHANIE COLTON              |                               | 4180 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305254011 W |            | CHARTER TOWNSHIP OF WATERFORD JAMES BAILEY JR               | MARIE BAILEY                  | 4190 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203038 W |            | CHARTER TOWNSHIP OF WATERFORD DAVID S SKILLMAN              |                               | 4191 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203037 W |            | CHARTER TOWNSHIP OF WATERFORD MARY JENSEN                   |                               | 4193 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305128001 W |            | CHARTER TOWNSHIP OF WATERFORD MISTY JO DUNCAN               |                               | 4332 LESSING ST     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305203022 W |            | CHARTER TOWNSHIP OF WATERFORD TODD M JENKINSON              |                               | 4350 LESSING ST     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Review           | 1305128004 W |            | CHARTER TOWNSHIP OF WATERFORD OAKLAND FUELS ATTN: PATTY     | 5433 SASHABAW RD              |                     | CLARKSTON               | MI         |             | 48346      |
| PRSA 23-07-04  |                  | 1305255005 W |            | CHARTER TOWNSHIP OF WATERFORD NICHOLAS MANLEY               |                               | 6412 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305255004 W |            | CHARTER TOWNSHIP OF WATERFORD JAMES GATES III               | JODY GATES                    | 6420 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305255031 W |            | CHARTER TOWNSHIP OF WATERFORD ALEXANDRA MCNAUGHTON          | TYLER GROESBE                 | 6428 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Review           | 1305251009 W |            | CHARTER TOWNSHIP OF WATERFORD MEREDITH CALVIN               |                               | 6444 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251007 W |            | CHARTER TOWNSHIP OF WATERFORD MARY GRIGLAK                  |                               | 6474 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251006 W |            | CHARTER TOWNSHIP OF WATERFORD JAMIE KRAMER                  |                               | 6486 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251005 W |            | CHARTER TOWNSHIP OF WATERFORD AMANDA J FOLE                 | RICHARD J WEL                 | 6494 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251004 W |            | CHARTER TOWNSHIP OF WATERFORD KATELYN DILLON                | JOHN HALL                     | 6500 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251003 W |            | CHARTER TOWNSHIP OF WATERFORD JUAN OMAR RAMIREZ-GONZALEZ    | VIVIANA JAZMII                | 6510 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305251002 W |            | CHARTER TOWNSHIP OF WATERFORD JAMES W HUNDLEY               | NORENE M HUI                  | 6514 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305129037 W |            | CHARTER TOWNSHIP OF WATERFORD ELISE HUGGLER                 | KATHRYN KELLE                 | 6550 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305129036 W |            | CHARTER TOWNSHIP OF WATERFORD AUGUSTINA VILLA               |                               | 6560 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305129035 W |            | CHARTER TOWNSHIP OF WATERFORD JEFFREY ROCKWELL              |                               | 6570 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305129034 W |            | CHARTER TOWNSHIP OF WATERFORD JACQUELYNNE HARNACK           | BRYAN HARNAC                  | 6580 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  |                  | 1305129033 W |            | CHARTER TOWNSHIP OF WATERFORD ROGER A DAVIS                 |                               | 6590 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Review           | 1305254013 W |            | CHARTER TOWNSHIP OF WATERFORD CRAIG BRUSKE                  |                               | 6881 WELLESLEY TER  | CLARKSTON               | MI         |             | 48346      |
| PRSA 23-07-04  | Review           | 1305255033 W |            | CHARTER TOWNSHIP OF WATERFORD 6436 SALINE LLC               |                               | PO BOX 964          | UNION LAKE              | MI         |             | 48387      |
| PRSA 23-07-04  | Extra Addresses  | 1305254014 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 4160 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305254013 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 4170 FOLEY ST       | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305128004 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 4310 LESSING ST     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305203021 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 4370 LESSING ST     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305203020 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 4374 LESSING ST     | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305255033 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 6436 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305251009 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 6450 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305251008 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 6466 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305251001 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 6518 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | Extra Addresses  | 1305129039 W |            | CHARTER TOWNSHIP OF WATERFORD OCCUPANT                      |                               | 6522 SALINE DR      | WATERFORD               | MI         |             | 48329      |
| PRSA 23-07-04  | LAMS             | 1305203038   |            | OCCUPANT  |                               | 4195 Foley St       | Waterford MI 48329-1421 |            |             |            |

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on Tuesday, August 29, 2023 at 6:00 p.m. in the Auditorium at 5200 Civic Center Dr., Waterford, MI 48329, to hear the following request:

**Case No. PRSA 23-07-04**

**Requesting:** The applicant is looking to rezone a portion of their property from M-1, Light Industrial to R-1A, Single-Family Residential.  
**Property Location:** 4159 Foley St  
**Property Zoned:** M-1, Light Industrial  
**Applicant:** Aaron Baughey

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP  
Superintendent of Planning and Zoning  
Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
[planning@waterfordmi.gov](mailto:planning@waterfordmi.gov)  
Phone: (248) 674-6238

Notice is hereby given of a public hearing to be held by the Waterford Township Planning Commission on Tuesday, August 29, 2023 at 6:00 p.m. in the Auditorium at 5200 Civic Center Dr., Waterford, MI 48329, to hear the following request:

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Superintendent of Planning and Zoning  
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**Requesting:** The applicant is looking to rezone a portion of their property from M-1, Light Industrial to R-1A, Single-Family Residential.  
**Property Location:** 4159 Foley St  
**Property Zoned:** M-1, Light Industrial  
**Applicant:** Aaron Baughey

Members of the public will only be able to speak during any public hearing that is held at the meeting and during the public comment period at the end of the meeting and such comments will be limited to three minutes per person. To provide for orderly public participation, a person wishing to speak must first state their name and request to be recognized by the Chairperson of the meeting. The Chairperson will recognize all persons wishing to speak during a public hearing and the public comment period. Prior to the meeting, members of the public may contact the members of the Planning Commission to provide input or ask questions by email or mail to the Township employee/official and at the addresses listed below. Persons with disabilities in need of accommodations to be able to participate in the meeting should provide at least 24-hour advance notice to the listed Township employee by phone, email, or mail and an attempt will be made to provide reasonable accommodations.

Jeffrey M. Polkowski, AICP  
Superintendent of Planning and Zoning  
Charter Township of Waterford  
5200 Civic Center Drive, Waterford, Michigan 48329  
[planning@waterfordmi.gov](mailto:planning@waterfordmi.gov)  
Phone: (248) 674-6238

**PLANNING DIVISION  
APPLICATION FORM**



**DEVELOPMENT SERVICES DEPARTMENT**  
5200 Civic Center Drive  
Waterford, Michigan 48329-3773  
Telephone: (248) 674-6238  
Fax: (248) 674-4097  
planning@waterfordmi.gov

**Office Use Only**

**Related Application Numbers**

PBUS: \_\_\_\_\_ PCR: \_\_\_\_\_  
PSP: \_\_\_\_\_ PZBA: \_\_\_\_\_

PRSA: 23-07-04

Date Received

7/24/23

Planning Fees

Engineering Fee

\_\_\_\_\_

New Address Fee

\_\_\_\_\_

**I. Type of Request (select all that apply)**

- Business Registration     Minor Site Plan     Master Plan  
 Change of Use     Major Site Plan     Rezoning  
 Concept Plan     Special Approval     Text Amendment

**Fees**

|                                |         |
|--------------------------------|---------|
| Business Registration          | \$100   |
| Change of Use                  | \$550   |
| Concept Plan                   | \$550   |
| Minor Site Plan                | \$1,250 |
| Major Site Plan                | \$1,550 |
| Special Approval               | \$1,000 |
| Master Plan Amendment          | \$1,000 |
| Rezoning / Text Amendment      | \$1,200 |
| Request for New Address (Fire) | \$75    |

*Additional fees may apply*

**II. Applicant Information**

|                       |                        |                      |  |
|-----------------------|------------------------|----------------------|--|
| Applicant Name        | Contact Person         |                      |  |
| <u>AARON BAUGHEY</u>  | <u>AARON</u>           |                      |  |
| Address               | City                   |                      |  |
| <u>4159 FOLEY ST.</u> | <u>WATERFORD</u>       |                      |  |
| State & ZIP           | Home/Office Phone      | Cell Phone           |  |
| <u>MICH. 48329</u>    | <u>(248)674-2224</u>   | <u>(248)640-7868</u> |  |
| Email Address         | <u>AARONEX@AOL.COM</u> |                      |  |

**III. Property Information**

Legal Description     Attached     On Site Plan

|   |   |   |  |                   |
|---|---|---|--|-------------------|
| All new buildings or unit splits are required to make a Request for New Address | Requires New Address?<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Street Name Building Faces:<br><u>FOLEY</u> | New Address Assigned (Obtain from Fire Department) |                   |
| Property Owner  | Property ID Number<br><u>13-05-203-029</u>  |   | Lot Number<br><u>70</u>                            |                   |
| Owner Address   | Owner City  | Owner State & Zip                           | Current Zoning<br><u>M-1</u>                       | Proposed Zoning   |
| Property Address or General Location  | <u>4159 FOLEY ST. WATERFORD, MI 48329</u>   |   |  |                   |
| Frontage (feet and streets)   |   |   | Zoning Use Section                                 | Building Use Code |
| Proposed Use  | #Residential Units  | #Vehicle Repair Bays                        | #Salon/Barber/Tattoo Stations                      |                   |

|   |   |
|---|---|
| Business License Held By:<br>(Business Registration Only) | <input type="checkbox"/> Individual (Attach copy of any Assumed Name Certificate)<br><input type="checkbox"/> Partnership or LLC (Attach a copy of Partnership or LLC Certificate)<br><input type="checkbox"/> Corporation (Attach a copy of Articles of Incorporation) |
|---|---|

|   |   |   |
|---|---|---|
| Fire Suppression Systems in Building              | <input type="checkbox"/> Yes <input type="checkbox"/> No    | If yes select the type(s):                                      |
| <input type="checkbox"/> Sprinkler System-Fire    | <input type="checkbox"/> Commercial Hood Suppression System | <input type="checkbox"/> FM 200 or Clean Agent (Computer Rooms) |
| <input type="checkbox"/> Fire Pump                | <input type="checkbox"/> Paint Booth (Suppression)          | <input type="checkbox"/> Fire Alarm                             |
| <input type="checkbox"/> Other (please describe): |   |   |

**With us there are no boundaries**

**DA Site Plan Designer Information (only required if a site plan is submitted)**

|               |                |            |
|---------------|----------------|------------|
| Design Firm   | Contact Person |            |
| Address       | City           |            |
| State & ZIP   | Office Phone   | Cell Phone |
| Email Address |                |            |

**V. Narrative Outlining Scope and Reason for Request (Additional pages may be attached)**

## BRING NONCONFORMING RESIDENCE INTO CONFORMITY

## VI. Affidavit of Ownership and Consent to Property Inspection

I (WE), the undersigned have made application to the Charter Township of Waterford for land use matters to be considered and decisions made by the: Planning Commission and /or Zoning Board of Appeals that will affect use of our property identified below. In order to enable the members of such decision-making body to make an informed decision on our request, I (WE), do hereby consent to allow the members of the decision-making body to inspect the subject property up to the date of the meeting of the decision-making body at which such body issues its final decision on MY (OUR) request, provided that such inspections are limited to: • gathering information specific to the requested action, • typical hours of daily human activity, unless specified otherwise below, and • the following restrictions:

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Property Address: \_\_\_\_\_

Property Parcel No: \_\_\_\_\_

**All persons having ownership interest in above-referenced property must sign this document to authorize the filing of the application. Proof of ownership in the form of deed, land contract, letter of authority or tax bill is required.**

Failure to obtain all ownership signatures may void any approvals. Ownership interest includes owners, all parties in land contracts, and all parties in purchase agreements. Additional signature pages may be attached for owners exceeding four in number.

|    | <u>NAME</u> | <u>ADDRESS</u> | <u>EMAIL</u> | <u>TYPE OF OWNERSHIP</u> | <u>INTEREST</u> | <u>SIGNATURE</u> |
|----|-------------|----------------|--------------|--------------------------|-----------------|------------------|
| 1. | _____       | _____          | _____        | _____                    | _____           | _____            |
| 2. | _____       | _____          | _____        | _____                    | _____           | _____            |
| 3. | _____       | _____          | _____        | _____                    | _____           | _____            |
| 4. | _____       | _____          | _____        | _____                    | _____           | _____            |

### APPLICANT CERTIFICATION

I do hereby swear all of the statements, signatures, descriptions and exhibits herewith submitted are true and accurate to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the above authorization.

AARON D. BAUGHENY 4159 Foley St. WATERFORD (248)640-7868 4-6-1954

Name (Please Print)

Address

Telephone Contact

Birth Date

Drivers License #

Signature

Subscribed and sworn to before me this 24<sup>th</sup> day of July, 2023

RE

Notary Public  
State of Michigan

County of Oakland

My Commission Expires March 15, 2028

**CHERI E. A. EVANS**  
Notary Public, State of Michigan

County of Oakland

My Commission Expires

March 15, 2028

Acting in the County of Oakland

# CERTIFICATE OF SURVEY

Prepared For: AARON BAUGHEY

## Legal Descriptions:

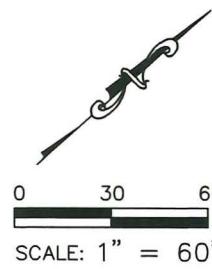
(SEE SHEET 2 OF 2)

LOT  
78

LOT  
77

POB  
PARCEL A  
WESTERLY  
MOST  
CORNER  
OF LOT 70

N 44°34'49"E 156.53' MEAS.  
N 44°32'31"E 156.44' REC.



PARCEL A  
1.06 ACRES

## NOTE:

THE PURPOSE OF THIS SURVEY IS TO CREATE A DUAL ZONING SPLITTING THE PARENT PARCEL INTO PARCELS A AND B. PARCEL B ZONING WILL CHANGE FROM M-1 (LIGHT INDUSTRIAL) TO R-1A (SINGLE FAMILY RESIDENTIAL).

## NOTES:

NO TITLEWORK WAS SUPPLIED BY CLIENT THEREFORE ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.

BEARING BASIS:  
HELD BEARING OF RECORD ALONG FOLEY STREET AS PER SURVEY BY DAVISON LAND SURVEYING, INC. JOB NO. 01-312, DATED 08-09-2001.

THE RECORD BEARINGS SHOWN ON THIS SURVEY ARE BASED ON A SURVEY COMPLETED BY DAVISON LAND SURVEYING, INC. JOB NO. 01-312, DATED 08-09-2001.

GRAND TRUNK RAILWAY

N 53°05'00"W 552.59' REC. TOTAL

S 41°40'26"W 112.39'

SCI N 41°40'26"E 112.39' SCI

PART OF  
LOT 70

S 45°47'15"E 349.25' MEAS.

LOT  
69

N 53°03'54"W 203.00' MEAS.

PART OF  
LOT 70

SHED

PARCEL B  
0.46 ACRES

#4159  
EXISTING  
RESIDENCE

SCI

FOLEY STREET  
(39.76' WIDE)

POB  
PARCEL B  
SOUTHERLY  
MOST  
CORNER  
OF LOT 70

S 38°14'56"W REC. & MEAS.  
87.04' MEAS. 87.10' REC.

- - IRON SET
- - IRON FOUND
- MEAS. - MEASURED
- REC. - RECORDED
- FCI - FOUND CAPPED IRON
- FIP - FOUND IRON PIPE
- SCI - SET CAPPED IRON
- \*— EXISTING FENCE LINE

I hereby certify that I have surveyed the land herein platted and described on May 25, 2023, and that the relative positional precision of each corner is within limits accepted by the practice for Michigan Professional Surveyors, and that all of the requirements of Act No. 132, P.A. 1970 (as amended) have been complied with.



KAROL L. GROVE  
LICENSED PROFESSIONAL SURVEYOR #39075

376 BEECH FARM CIRCLE SUITE # 1293  
HIGHLAND, MICHIGAN, 48357  
PHONE: 810-207-8050

ALPINE  
Land Surveying, Inc.

|             |                  |
|-------------|------------------|
| FIELD: KG   | DATE: 07-24-2023 |
| DRAWN: DJS  | JOB NO: 23-6305  |
| CHECKED: KG | SHEET: 1 OF 2    |
| REVISED:    |                  |

# CERTIFICATE OF SURVEY

Prepared For: AARON BAUGHEY

## Legal Descriptions:

### **PREVIOUS LEGAL DESCRIPTION: PARCEL ID: 13-05-203-029**

Lot 70, WATERFORD ACRES SUBDIVISION, a subdivision of part of the N 1/2 of Section 5, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 33, Page 27, Oakland County records.

### **LEGAL DESCRIPTION PARCEL A:**

A portion of Lot 70, WATERFORD ACRES SUBDIVISION, a subdivision of part of the N 1/2 of Section 5, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 33, Page 27, Oakland County records, being more particularly described as: Beginning at the most westerly corner of said Lot 70, thence N 44°34'49" E, 156.53 feet (recorded as N 44°32'31" E, 156.44 feet); thence S 45°47'15" E (recorded as S 45°48'07" E), 340.46 feet; thence S 41°40'26" W, 112.39 feet; thence N 53°03'54" W (recorded as N 53°05'00" W), 349.25 feet to the Point of Beginning. Containing 1.06 Acres and subject to all easements and encumbrances of record.

### **LEGAL DESCRIPTION PARCEL B:**

A portion of Lot 70, WATERFORD ACRES SUBDIVISION, a subdivision of part of the N 1/2 of Section 5, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 33, Page 27, Oakland County records, being more particularly described as: Beginning at the most southerly corner of said Lot 70, thence N 53°03'54" W (recorded as N 53°05'00" W), 203.00 feet; thence N 41°40'26" E, 112.39 feet; thence S 45°47'15" E (recorded as S 45°48'07" E), 197.30 feet; thence S 38°14'56" W, 87.04 feet (recorded as 87.10 feet); to the Point of Beginning. Containing 0.46 Acres and subject to all easements and encumbrances of record.

I hereby certify that I have surveyed the land herein platted and described on May 25, 2023, and that the relative positional precision of each corner is within limits accepted by the practice for Michigan Professional Surveyors, and that all of the requirements of Act No. 132, P.A. 1970 (as amended) have been complied with.



KAROLL L. GROVE  
LICENSED PROFESSIONAL SURVEYOR #39075

|  |                     |  |
|--|---------------------|--|
| <b>ALPINE</b><br>Land Surveying, Inc.    |                     | 376 BEECH FARM CIRCLE SUITE # 1293<br>HIGHLAND, MICHIGAN, 48357<br>PHONE: 810-207-8050 |
| FIELD:<br>DRAWN:<br>CHECKED:<br>REVISED: | KG<br>DJS<br>KG<br> | DATE: 07-24-2023<br>JOB NO: 23-6305<br>SHEET: 2 OF 2                                   |

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CHARTER TOWNSHIP OF WATERFORD  
ORDINANCE NO. 2023-Z-018

**ZONING ORDINANCE MAP AMENDMENT**

An ordinance to amend the Waterford Township Zoning Ordinance by rezoning a parcel of property with conditions on its use and development as authorized by MCL 125.3405 and amending the Zoning Map.

THE CHARTER TOWNSHIP OF WATERFORD ORDAINS:

**Section 1 of Ordinance**

The portion of the parcel of property that is assigned tax parcel number 13-08-230-003, legally described below, with current address of 4159 Foley St, is rezoned from **M-1, Light Industrial** to **R-1A, Single-Family Residential** with the Zoning Map that is adopted by and made part of the Waterford Township Zoning Ordinance in Section 3-101, to be changed and amended to reflect this rezoning.

**Section 2 of Ordinance**

The effective date of this ordinance shall be on the 8<sup>th</sup> day after publication, or a later date as provided in the Michigan Zoning Enabling Act for when a petition for voter referendum on this Ordinance and/or a notice of intent to submit such a petition is timely filed with the Township Clerk.

**CERTIFICATION**

I certify that this Zoning Ordinance Map Amendment Ordinance was adopted by a majority vote of the members of the Board of Trustees of the Charter Township of Waterford at a meeting duly called and held on September 25, 2023.

CHARTER TOWNSHIP OF WATERFORD

---

Date

---

Kimberly Markee, Township Clerk

**LEGAL DESCRIPTION ATTACHMENT TO ORDINANCE 2023-Z-018**

A portion of Lot 70, WATERFORD ACRES SUBDIVISION, a subdivision of part of the N 1/2 of Section 5, Town 3 North, Range 9 East, Waterford Township, Oakland County, Michigan, according to the plat thereof as recorded in Liber 33, Page 27, Oakland County records, being more particularly described as: Beginning at the most southerly corner of said Lot 70, thence N 53°03'54" W (recorded as N 53°05'00" W), 203.00 feet; thence N 41°40'26" E, 112.39 feet; thence S 45°47'15" E (recorded as S 45°48'07" E), 197.30 feet; thence S 38°14'56" W, 87.04 feet (recorded as 87.10 feet); to the Point of Beginning. Containing 0.46 Acres and subject to all easements and encumbrances of record .