

## CRITERIA QUESTIONNAIRE FOR INCORPORATION

1968 PA 191

(The term "unit" is used throughout this questionnaire and is intended to mean either your township, city or village)

### I. POPULATION

A. Total population of your unit for each of the following dates:

1990 1442      2000 1514    2010 1603

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REMONUMENTATION

### II. POPULATION DENSITY AND LAND AREA

A. Give the total number of acres or square miles and density for your entire unit.

(1) Total number of acres 580 or square miles .906.

(2) Density for 2010 2.77 popu/acre or 1,769 popu/sq.mile.

### III. LAND USE

A. Enclose a copy of the long range plan for your unit or larger area (e.g. comprehensive Master Plan, Land Use Plan, Growth Management Plan). If there is not one for your unit of government, include county plan or other. Please list enclosures:

See attachment "A"

#### B. Development

1. Does your unit provide special incentives (tax-abatement, low interest rates) to homeowners, builders, or developers to locate in your area?

Yes \_\_\_\_\_ No X

2. If yes, describe: \_\_\_\_\_

3. Give the quantity and location of any of the following types of development either planned, under construction, or completed within your unit during the last three years.

3. Give the quantity and location of any of the following types of development either planned, under construction, or completed within your unit during the last three years.

	PLANNED	UNDER CONSTRUCTION	DATE COMPLETED	SECTION OR EXACT LOCATION	# DWELLING UNITS AT BUILD OUT
Apartment Bldgs.	<u>n/a</u>	_____	_____	_____	_____
Standard Housing Subdivisions	<u>n/a</u>	_____	_____	_____	_____
Condominium Subdivisions	<u>n/a</u>	_____	_____	_____	_____
Mobile Home Parks	<u>n/a</u>	_____	_____	_____	_____
Commercial Centers	<u>n/a</u>	_____	_____	_____	_____
Industrial Parks	<u>n/a</u>	_____	_____	_____	_____
Other:	<u>n/a</u>	_____	_____	_____	_____

**C. Zoning**

1. Does your unit have a zoning board or commission? Yes X No \_\_\_.

If yes, under what public act? #207 PA of MI of 1921 MCL .125.581 et seq.

If yes, enclose a copy of the zoning ordinance and map. See attachment "B"

If yes, describe the stage to which it this progressed?

\_\_\_\_\_

If no, enclose the governing county zoning map and ordinance.

Is your unit in the process of initiating a zoning ordinance? Yes \_\_\_ No X.

2. Is any portion of the area proposed for incorporation being considered for rezoning? Yes \_\_\_ No X.

If yes, describe the proposed change.

3. List below the acreage of the land zoned in your unit:

<u>USE</u>	<u>NUMBER OF ACRES ZONED</u>	<u>NUMBER OF ACRES USED AS ZONED</u>
RESIDENTIAL	<u>210.56</u>	<u>210.56</u>
COMMERCIAL	<u>17.252</u>	<u>17.252</u>
INDUSTRIAL	<u>17.413</u>	<u>17.413</u>
AGRICULTURAL	<u>110.91</u>	<u>110.91</u>
OTHER	<u>162.50</u>	<u>162.50</u>

#### IV. STATE EQUALIZED VALUATION

Give the S.E.V. of your unit for the last three years. Start with present year:

<u>A. REAL PROPERTY</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Residential Clinton:	\$ <u>13,610,500</u>	\$ <u>14,027,400.</u>	\$ <u>16,458,692.</u>
Shiawassee:	\$ <u>56,300.</u>	\$ <u>63,500.</u>	\$ <u>64,300.</u>
Commercial	\$ <u>4,475,900.</u>	\$ <u>4,436,200.</u>	\$ <u>4,089,325.</u>
Commercial – Ren Zone	\$ <u>1,101,500.</u>	\$ <u>1,100,400.</u>	\$ <u>1,213,800.</u>
Industrial	\$ <u>2,134,700.</u>	\$ <u>2,138,800.</u>	\$ <u>1,973,702.</u>
Industrial – IFT	\$ <u>620,600.</u>	\$ <u>620,600.</u>	\$ <u>620,600.</u>
Agricultural	\$ <u>221,400.</u>	\$ <u>203,600.</u>	\$ <u>110,715.</u>
Developmental	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Timber Cutover	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Utilities	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
<b>TOTAL</b>	\$ <u>22,220,900.</u>	\$ <u>22,590,500.</u>	\$ <u>24,466,834.</u>

<u>B. PERSONAL PROPERTY</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Residential Clinton:	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Shiawassee:	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Commercial	\$ <u>499,583.</u>	\$ <u>389,880.</u>	\$ <u>420,650.</u>
Commercial Ren-Zone	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Industrial	\$ <u>4,895,270.</u>	\$ <u>4,994,720.</u>	\$ <u>5,173,770.</u>
Industrial Ren-Zone	\$ <u>10,290,330.</u>	\$ <u>11,599,340.</u>	\$ <u>13,416,860.</u>
Industrial IFT	\$ <u>2,221,030.</u>	\$ <u>2,490,680.</u>	\$ <u>2,840,940.</u>

Agricultural	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Developmental	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Timber Cutover	\$ <u>0.</u>	\$ <u>0.</u>	\$ <u>0.</u>
Utilities	\$ <u>1,128,590.</u>	\$ <u>1,007,940.</u>	\$ <u>1,012,090.</u>
<b>TOTAL</b>	\$ <u>19,034,803.</u>	\$ <u>20,482,560.</u>	\$ <u>22,864,310.</u>

- C. Give the current equalization factor for your unit: 1.0000.
- D. Give the most recent year's state equalized value for the area proposed for Incorporation.

Ad valorem: \$27,022,243. Ren-Zone: \$11,391,830. IFT: \$2,841,630.

**V. ALLOCATED AND VOTED MILLAGE RATES FOR THE LAST 3 YEARS**

Example:	General Fund	1.00 Mills
	Debt Retirement	2.00 Mills
	Pension Fund	<u>.50 Mills</u>
	<b>TOTAL</b>	<b>3.50 Mills</b>

Start with the present or previous year

2013 & 2012 Ad Valorem, all the same

<u>Unit Millage</u>		<u>County Millage</u>		<u>School Millage</u>	
Purpose	Amount	Purpose	Amount	Purpose	Amount
Operation:	<u>11.83970</u>	Operation:	<u>5.8</u>	Operation:	<u>17.4694</u>
Garbage:	<u>1.71180</u>	Transit:	<u>0.2</u>	O-E Debt:	<u>7.8</u>
<b>TOTALS:</b>	<b><u>13.55150</u></b>	Twp:	<u>1.0</u>	Intermediate:	<u>3.7615</u>
IFT/Oper.:	<u>5.91985</u>	Library:	<u>0.75</u>	SET:	<u>6.0</u>
IFT/GARB.:	<u>.85590</u>	EMS:	<u>2.25</u>		
<b>TOTALS:</b>	<b><u>6.77575</u></b>	<b>TOTALS:</b>	<b><u>10.</u></b>	<b>TOTALS:</b>	<b><u>35.0309</u></b>

2011 Ad Valorem & IFT

<u>Unit Millage</u>		<u>County Millage</u>		<u>School Millage</u>	
Purpose	Amount	Purpose	Amount	Purpose	Amount
Operation:	<u>11.83970</u>	Operation:	<u>5.8</u>	Operation:	<u>17.4694</u>
Garbage:	<u>0.71180</u>	Transit:	<u>0.2</u>	O-E Debt:	<u>7.8</u>
		Twp:	<u>1.0</u>	Intermediate:	<u>3.7615</u>
<b>TOTALS:</b>	<b><u>12.55150</u></b>	Library:	<b><u>0.75</u></b>	SET:	<b><u>6.0</u></b>
IFT/Oper.:	<u>5.91985</u>	EMS:	<u>2.25</u>		
IFT/GARB.:	<u>.35590</u>				
<b>TOTALS:</b>	<b><u>6.27575</u></b>	<b>TOTALS:</b>	<b><u>10.</u></b>	<b>TOTALS:</b>	<b><u>35.0309</u></b>

**VI. TOPOGRAPHY / NATURAL BOUNDARIES / DRAINAGE BASINS**

A. Check any unusual or restrictive topographic features which could inhibit the use or development of the area proposed to be incorporated.

- |   |   |
|---|---|
| <input type="checkbox"/> Extreme changes in elevation | <input type="checkbox"/> Wetlands                 |
| <input type="checkbox"/> Perk test failure            | <input type="checkbox"/> Bedrock near the surface |
| <input checked="" type="checkbox"/> Flood plain       | <input type="checkbox"/> Prime agricultural land  |
| <input type="checkbox"/> Drainage basin               | <input type="checkbox"/> Other _____              |

B. How does this proposed incorporation relate to natural boundaries and drainage basins? (Include aerial map if available): It doesn't. and the State Boundary Commission has a copy of the Aerial Map.

**VII. BOUNDARY HISTORY**

A. 1. During the past 10 years, has your unit been involved in any proposed detachments, annexations, incorporations, consolidations or conditional transfers?

Yes \_\_\_\_\_ No x

2. If yes, list the following for each case (attach extra sheets if necessary):

TYPE OF ADJUSTMENT PROPOSED: \_\_\_\_\_  
 (detachment, annexation, incorporation, consolidation or conditional transfers)

REQUEST INITIATED BY: \_\_\_\_\_  
(registered electors, property owners, city council, township board)

DATE REQUEST FILED: \_\_\_\_\_

DATE OF DECISION: \_\_\_\_\_

DECIDED BY: \_\_\_\_\_  
(referendum, County Commission resolution, City Council resolution,  
City/Township mutual resolutions, State Boundary Commission action,  
Circuit Court, other court)

FINAL DECISION: \_\_\_\_\_

- B. Of those annexations accomplished, are these areas receiving all the village's services? Yes \_\_\_ No \_\_\_  
No annexations in past 10 years \_\_\_\_\_

If no, list the areas not receiving services and the services they lack:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- C. Does your unit have any joint policies or agreements with adjacent units of government? Yes x No \_\_\_

If yes, explain: Local Governmental agreements for Utilities with Ovid, Middlebury Townships and O-E School District.

## VIII. PAST AND PROBABLE FUTURE GROWTH & DEVELOPMENT

- A. How many building permits for the following categories have been issued by your unit of government within the last 3 years?

0 Industrial

0 Single Residential Units

0 Commercial

0 Multiple Housing Structures

- B. Business development

1. How many new businesses opened in the last 5 years? 8

How many new jobs were created? Unknown

2. How many businesses expanded their operations in the last 5 years? 2

How many new jobs were added? Unknown

3. How many businesses reduced their operations in the last 5 years? 0

How many jobs were lost? 0

4. How many businesses moved or closed their operations in the last 5 years? 1

How many jobs were lost? 2

C. Have any special studies been conducted in your area regarding the general economic situation? Yes      No x In Process       
If yes, enclose copy.

D. Which of the following development tools serve your unit?  
     Economic Development Corporation (PA 338, 1974)  
     Local Development Finance Authority (PA 218, 1986)  
     Tax Increment Finance Authority (PA 450, 1980)  
 X  Downtown Development Authority (PA197, 1975)  
     Shopping Center Redevelopment Area (PA 120, 1961)  
     Empowerment Zone/Enterprise Community/Enterprise Zone  
     Local Revolving Loan Fund  
     Other \_\_\_\_\_

## IX. NEED FOR ADDITIONAL PUBLIC SERVICES

A. What additional services not presently available does your unit, residents and/or property owners feel are necessary in the area proposed for incorporation?

	SERVICE	DATE IT CAN BE AVAILABLE
1.	<u>Completion of the loop on Williams Street for Water &amp; Sewer:</u>	<u>Unknown</u>
2.	_____	_____

B. Of the services listed above, which ones will be difficult to provide?  
Just what is listed.

Why? Due to we would have to bore under the County Drain to complete the connection to the village's water & sewer system.

**X. PROBABLE EFFECTS OF PROPOSED INCORPORATION ON THE COST AND ADEQUACY OF SERVICES**

- A. If incorporation takes place, how will the change of boundaries affect the receiving unit of government?

NO AFFECT

- B. If incorporation takes place, and public services are improved, what additional costs will the affected area incur and how adequate will those services be?

- C. If incorporation takes place, what will be the financial effect on the remaining area from which the incorporation area is removed?

NO AFFECT we didn't understand the question.

- D. If incorporation takes place, what will be the financial effect on the incorporation area?

A reduction I property taxes

**XI. PUBLIC SERVICES**

**A. Public Water**

1. Does your unit provide public water service? Yes x No
2. If yes, who owns the water treatment plant(s)? Village of Ovid
3. If the water treatment plant does not belong to your unit, has your unit purchased a utility equity in the water system? Yes     No     n/a x
4. How many public water customers does your unit have? 645
5. Give the number of homes and also the section numbers in which public water is not available: No. of homes 2 SE Section No. 13 SE  
5 NW 12 NW

6. Maximum capacity of your public water system is 1,000,000 gallons per day.

Average present usage is 160,000 gallons per day; 16% of capacity.

7. Is your unit under orders or has it been cited by the Michigan Department of Community Health, the Michigan Department of Environmental Quality, the Michigan Water Resources Commission, or any other state or federal agency? Yes \_\_\_ No X

8. If yes, give the nature of the orders or citations and what actions have been taken. N/A

9. Have the issues been addressed or resolved satisfactorily? Yes \_\_\_ No \_\_\_ N/A X

10. Does your unit serve public water to the entire area proposed for incorporation? Yes \_\_\_ No X

11. If not, how near are water mains of a size adequate to serve the entire area? NW 1200 FEET & SE 1200 FEET

12. How is your public water system financed?

\_\_\_ General obligation bonds      X Tap-in fees (amount:\$1,500) Per Tap In  
\_\_\_ Special assessments      x Other service fees  
\_\_\_ Revenue Bonds

13. What is the cost per linear foot to install water lines in the street?  
\$140 per foot

What is the cost per linear foot to extend lines on site? \$ n/a

14. If public water service is not available, what other types of water services are available to residents? Wells

15. Have any governmental agencies placed any restrictions on adding new customers to your public water system?  
Yes \_\_\_ No x

If yes, describe these restrictions: n/a

16. Are there any plans to expand your water system? Yes \_\_\_ No x

17. If yes, what sections or areas will receive services n/a



16. Are there plans to expand the sewer system? Yes \_\_\_ No X
17. If yes, what sections or areas will receive services? N/A
18. Have you received approval from the involved state agencies for expansion of the sewer system? Yes \_\_\_ No \_\_\_ N/A X
19. What is the estimated total number of customers who will ultimately be served by this expansion? 0
20. This expansion is \_\_\_ under study \_\_\_ under contract \_\_\_ under construction. N/A
21. Estimated date service will be available: N/A
22. What do customers within your unit pay to receive sewer service?  
\$ 1,500 connection fee \$ .85 per 1000 gal. Plus base rate of \$5.50
23. If sewer service is purchased under contract, do customers outside the unit pay the same rate as those within the unit providing the services?  
Yes \_\_\_ No x
- If no, what charges do customers outside the unit pay to receive sewer service?  
\$ 1.28 per 1,000
24. Are special charges made in lieu of an assessment? Yes \_\_\_ No x
- If yes, what is the amount? \$ n/a
25. What must customers outside the providing unit do to receive this sewer service? n/a
26. If incorporation does not occur, how soon would the area proposed for incorporation receive sewer service? n/a

### C. Fire Protection

1. Fire protection for your unit is provided:  
X by your own department  
\_\_\_ under contract from another unit: n/a  
by the OMESA (Ovid-Middlebury Emergency Service Authority) Fire District  
which serves the following units:  
Village of Ovid, Ovid & Middlebury Townships.

5. What is the highest level of wastewater treatment being provided:

Primary \_\_\_\_\_ Secondary \_\_\_\_\_ Tertiary X

6. What methods of waste water treatment are being used?  
(Check all that apply.)

    Activated Sludge                          Rotating Biological Contactors or Disks  
  X   Lagoons                                    Groundwater Discharge Mound  
    Sand Filter                                Sequencing Batch Reactors  
    Trickling Filter                          Other \_\_\_\_\_

7. Where does the wastewater treatment plant discharge its effluent?

Surface water (Name/Location) MAPLE RIVER

Ground infiltration (Name/Location) N/A

8. Maximum capacity of the sewer system is 200,000 gal/day.

9. The average usage is 140,000 gal/day; 70 % capacity.

10. Does your sewer ordinance require residents to hook up? Yes X No      
If yes, how near does the sewer line have to be? 200 feet.

11. Does your unit provide sanitary sewer service to the area proposed for  
incorporation? Yes X No    

12. If not, how near to the area proposed to be incorporated are sewer lines of  
a size adequate to serve the area? N/A

13. How is your sewer system financed?

    General obligation bonds                        X   Tap-in fees (amount \$ 1,500)  
    Special assessments                            X   Other: \_\_\_\_\_  
    Revenue bonds

14. What is the cost per foot for installation of sewer lines in the street?  
\$ 140

What is the cost per foot for extension on site? \$ N/A

15. Are you under orders to improve your wastewater treatment?  
Yes     No   X  , If yes, describe: N/A

16. Are there plans to expand the sewer system? Yes \_\_\_ No X
17. If yes, what sections or areas will receive services? N/A
18. Have you received approval from the involved state agencies for expansion of the sewer system? Yes \_\_\_ No \_\_\_ N/A X
19. What is the estimated total number of customers who will ultimately be served by this expansion? 0
20. This expansion is \_\_\_ under study \_\_\_ under contract \_\_\_ under construction. N/A
21. Estimated date service will be available: N/A
22. What do customers within your unit pay to receive sewer service?  
\$ 1,500 connection fee \$.85 per 1000 gal. Plus base rate of \$5.50
23. If sewer service is purchased under contract, do customers outside the unit pay the same rate as those within the unit providing the services?  
Yes \_\_\_ No x
- If no, what charges do customers outside the unit pay to receive sewer service?  
\$ 1.28 per 1,000
24. Are special charges made in lieu of an assessment? Yes \_\_\_ No x
- If yes, what is the amount? \$ n/a
25. What must customers outside the providing unit do to receive this sewer service? n/a
26. If incorporation does not occur, how soon would the area proposed for incorporation receive sewer service? n/a

### C. Fire Protection

1. Fire protection for your unit is provided:  
X by your own department  
\_\_\_ under contract from another unit: n/a  
by the OMESA (Ovid-Middlebury Emergency Service Authority) Fire District  
which serves the following units:  
Village of Ovid, Ovid & Middlebury Townships.

2. Underwriters rating: 5
3. What is the composition of the fire department that provides fire protection to your unit?

Number of fire fighters on force: Full-time 0 Volunteer 24

4. How is the fire department financed?

Special Assessment  Charge for each fire run  
 General obligation bonds  General operating funds  
 Other Property Taxes

5. Who provides fire protection to the area proposed for incorporation?  
OMESA Underwriters rating: 5

6. If the incorporation is approved, who would provide fire protection? OMESA

7. How near is the fire station now providing fire protection to the area proposed for incorporation? Within center of area.

8. If the incorporation is approved, how near would the fire station providing fire protection be? Within center of area.

#### D. Police Protection

1. Police protection for your unit of government is provided:

by your own department  
 by the county sheriff  
 under contract from another unit: \_\_\_\_\_  
 from the \_\_\_\_\_ Joint Service District which serves the following units: \_\_\_\_\_

2. What is the composition of the police department?

2 Full-time officers 8 Part-time officers

3. How is the police department financed?

Special Assessment  Charge for each police run  
 General obligation bonds  General operating funds  
 Other \_\_\_\_\_

4. Who provides police protection to the area proposed for incorporation?

OVID POLICE DEPARTMENT

5. If the incorporation is approved, who would provide police protection?

OVID POLICE DEPARTMENT

6. How near is the police station which now provides police protection to the area proposed for incorporation? Within the boundaries.

7. If the incorporation is approved, how near would be the police station which provides police protection? Within the boundaries.

#### E. Garbage Collection

1. Does your unit provide garbage collection service?  YES  NO

This service is provided by:

- your unit via contract with private firm.  
 your unit via an intergovernmental or regional contract.  
 If No: this service is provided by private arrangements between residents and property owners with individual haulers.  
 If No: this service is not available.

If the answer to 1 was "Yes" respond to the following (2 - 5):

2. How many homes are served? 650
3. Does this service include the area proposed to be incorporated?  
Yes  No
4. How often is the pickup made? Weekly
5. How is the service financed?  
 Special Assessment  
 Each homeowner billed for service by governmental unit  
 General operating funds  
 Paid by resident to individual hauler

#### F. Street Lights

1. Does your unit have a street light program? Yes  No

If yes, how is the program financed? General Operations

2. Approximately what percentage of the area is served? 100%

**G. Library Service**

1. Does your unit provide library service? Yes  No  District Library

2. If yes, it is:  unit operated  county wide  area wide.

**H. Name of School District(s):** OVID-ELSIE SCHOOL DISTRICT

**I. Other services available to your unit's residents:**

TYPE OF SERVICE	FURNISHED BY UNIT OR ON CONTRACT?	METHOD OF FINANCING
1. <u>Brush / Leaf Pickup</u>	<u>Unit</u>	<u>General Operations</u>
2. <u>Sidewalk Rep./Repl.</u>	<u>Unit</u>	<u>Gen. Oper. &amp; Streets</u>
3. <u>Snow Plowing</u>	<u>Unit</u>	<u>Street funds</u>
4. <u>Park/Rec. Facilities</u>	<u>Unit</u>	<u>General Operations</u>

**XII. FINANCIAL ABILITY TO PROVIDE AND MAINTAIN SERVICES TO YOUR UNIT**

A. What major capital improvements have taken place in your unit in the last five years, and how were they financed?

IMPROVEMENT	FINANCED
1. <u>Restroom/Storage Facility</u>	<u>Grant &amp; Donations</u>
2. <u>Lagoon Rip / Rap</u>	<u>Enterprise Funds</u>
3. <u>Truck for DPW</u>	<u>Enterprise Funds.</u>
4. <u>Water Line Replacement</u>	<u>CDBG Grant &amp; Enterprise Funds</u>
5. <u>Street Resurfacing</u>	<u>CDBG Grant &amp; Enterprise Funds</u>
6. <u>Water Tower Refurbished</u>	<u>CDBG Grant &amp; Enterprise Funds</u>
7. <u>Well#2 Raw Water Connection</u>	<u>CDBG Grant &amp; Enterprise Funds</u>
8. <u>Police Patrol Car</u>	<u>USDA Grant &amp; General Operations</u>

B. Does your unit of government have application for bonds before the Michigan Municipal Finance Commission? Yes \_\_\_ No x

If yes, state the kind of bond, purpose, total amount of bonded indebtedness and the maturity date: N/A

KIND	PURPOSE	AMOUNT	MATURITY DATE
_____	_____	\$ _____	_____
_____	_____	\$ _____	_____

C. Indebtedness related to the area proposed for incorporation.

1. Does your unit of government have any bonded indebtedness in place or in process that affects the area proposed for incorporation?  
Yes \_\_\_ No X

a. If yes, state the following about the debt: N/A

TYPE	PURPOSE	AMOUNT	MATURITY DATE
_____	_____	\$ _____	_____
_____	_____	_____	_____

b. If yes, attach copies of any "Order of Approval" issued to your unit by the Municipal Finance Commission that relate to bonds for sewer or water facilities serving the incorporation area and include copies of maps describing the physical location of the sewer and water lines.

N/A

2. Has your unit incurred any other liabilities relating to the area proposed for incorporation? Yes \_\_\_ No N/A

If yes, describe the liabilities and their value (\$).

3. Has your unit signed any other contractual agreements affecting the area proposed for incorporation? Yes \_\_\_ No X

If yes, list the agreements and include copies.

N/A

4. Has your unit accumulated any assets attributable to the area proposed for incorporation? Yes \_\_\_ No X

If yes, describe the assets and their values(\$). N/A

5. What percent of your total sanitary sewer, public water, storm drainage and other utility(ies) exist in the area proposed for incorporation?

75% sewer

100% public water

100% storm drainage

100 % other Streets

### XIII. GENERAL EFFECT UPON COMMUNITY OF PROPOSED ACTION

- A. What is the position of your government officials on this proposed incorporation? FAVORABLE
- B. What is the position of the affected residents in the proposed area for incorporation towards this petition? FAVORABLE
- C. What is the position of your constituents towards this petition?  
FAVORABLE

### XIV. WHAT IS THE RELATIONSHIP OF THE PROPOSED INCORPORATION TO ANY ESTABLISHED TOWNSHIP, VILLAGE, CITY, COUNTY OR REGIONAL LAND USE PLAN?

The Village of Ovid issues Zoning Permis to it residents and the County issues all Building, Plumbing, Electrical and Occupancy permits to all village residents.

PLEASE PROVIDE THE FOLLOWING INFORMATION FOR THE INDIVIDUAL PARCELS  
WITHIN THE AREAS HIGHLIGHTED ON THE ENCLOSED MAPS:

1. Current Tax Rate: 13.5515
2. Tax Rate if included in the Incorporation: 13.5515
3. Current Zoning: RA1, RA2, B1, B2, L1 and OP
4. Current Usage of the Land: SAME
5. State Equalized Value (SEV): \$41,255,703

List the people who completed this questionnaire:

Name	Title	Telephone (include area code)
<u>Josefina Medina</u>	<u>Clerk</u>	<u>989-834-5550</u>
<u>Cindy L. Fruchey</u>	<u>Treasurer</u>	<u>989-834-5550</u>
<u>Donald Passmore</u>	<u>DPW Superintendent</u>	<u>989-666-4430</u>
<u>William Lasher</u>	<u>President</u>	<u>989-834-5550</u>
<u>Phillip Hanses</u>	<u>Cl. County Drain Commissioner</u>	<u>989-224-5160</u>
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<u>Diane Dowler</u>	<u>Ovid Village/Township Assessor</u>	<u>810-635-9596</u>

Date Completed September 11, 2013

*Josefina Medina*  
*Village Clerk*

*9-11-2013*

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OFFICE OF LAND SURVEY &  
REMONUMENTATION

VILLAGE OF OVID  
MASTER PLAN

## MASTER PLAN

The Plan is based on pre-established Community goals; goals, which originated in the minds of residents and public officials, concerned with the Village's future development and welfare. The Plan, we hope shall bring some guidelines for future Planning Commission members in helping make the tough decisions that will need to be implemented in years to come; for changes are coming which will affect our residents thru growth within the village a surrounding areas.

**PLANNING COMMISSION:** Chairman - Don Chamberlain

Appointed Council Member - Ofelia Padilla

**MEMBERS:** Betty J. Rinckey  
John Stewart  
Brian Kirchensteiner  
Bob Dobski  
Tim Braman  
Tim Zwick

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In summary village taxes contribute the greatest amount of resources to the village receipts while distributions from the state rank as the second largest sources.

Expenditures

Expenditures for 2002 salaries were the greatest expenditures. In small communities providing a minimum of services it is typical for salaries to be a major expense.

General Administration	\$128,687.00
Police	\$217,505.00
Public Works (Including Parks & Rec.)	\$179,330.00
Local Streets	\$ 40,500.00
Major Streets	\$149,980.00
Sewer, Water and Utilities	\$239,230.00

## LAND USE

An area's land use develops according to its geography and its own individual economic and social character. The early location of a commercial establishment, the routing of a railroad or highway, and many other factors often have an important effect on the shape of the existing land use pattern. The methodology utilized in carrying out the land methodology use study was decided into four phases: collection, mapping, processing and analysis.

### EXISTING LAND USE PATTERNS AND TRENDS

The total land area of Ovid Village encompasses about 640 acres. Of this total area slightly less than 80 acres has not actually been developed.

Residential: Areas where dwelling units other than commercial residences, their accessory building and open space occupy the major portion of land. Excluded are agriculture lands and other uses not associated with the dwelling, even under the same ownership.

Commercial: Establishments supplying commodities and services to the general public. These include retail consumer goods, personal and business services and necessary storage and parking facilities incidental to these uses.

Industrial: Land activities concerned with the manufacturing, processing, fabrication or bulk storage of goods of materials. Such activity includes the mechanical or chemical transformation of inorganic substances into new products. Also included are establishments which are involved in the extraction of materials from land, such as mining or quarrying and such other endeavors as heavy repair and warehousing. Industrial classification consists of four basic categories:

- Non manufacturing: construction, warehousing and storage
- Non durable manufacturing: functions such as food processing and petroleum refining.
- Durable manufacturing: manufactures of lasting goods (metals, and wood products)
- Quarrying and mining: extraction of natural resources.

Institutional: all lands used by federal, state, county, township, village, city, educational or semi-public institutions for the purpose of providing for the social, cultural, religious and health needs of the community. Such uses of land include village buildings, schools, churches, hospitals, cemeteries.....

Recreational: land devoted to active or passive recreation. Included are open spaces which are developed or intended for public or semi-public recreational use, whether publicly or privately owned. Example: golf courses, parks, and playgrounds.

Transportation: Lands used for the conveyance of passengers and freight, including rights-of-way and terminals.

Utilities and Communications: land used for the collection and distribution system systems of utility and communication facilities. Example water treatment plants, sewage disposal plants and radio and television transmission towers.

Agriculture: Lands used primarily for the production of food, fiber and/or other salable vegetation. Example: crops, wood lots, and tree nurseries.

Undeveloped: all land which is vacant, unused, or unusable, including derelict land as well as water features.

The majority of Ovid's growth in the recent years has been concentrated along M-21. This growth has been in the form of commercial establishment along the highway and in residential subdivisions.

#### AGRICULTURE CHARACTERISTICS

The Ovid area is characterized by having many scattered areas which offer severe limitations to agriculture production. Their inability to drain sufficiently results in a high water content which detrimental to crop production. Within the village the river area contains the majority of the severely limited soils. The southwest portion of the village offers the largest area conducive to crop production.

#### FLOOD PLAINS

The recognition of flood plains area is an important factor in estimating a pattern of efficient and orderly growth for this community. Flood plain areas exist along the Maple River and during seasonal periods renders

immediate areas unusable for urban utilization. The establishment of proper regulations governing the use of these areas if the community is to realize a safe progression of urban development.

## WATER RESOURCES

The planning area contains a significant number of streams and rivers presenting opportunities for recreation. Maple River is dominate in the area running through the village on its way to the Grand River at Ionia from Livingston County.

## LAND USE PROPOSALS AND RECOMMENDATIONS

In the process of planning for future community it becomes essential that a logical method of projection and allocation be evolved. The method chosen by your planning commission is one of present development analysis, projected population increase, assumptions of future desired densities future gross land requirements, and statements of predetermined policy guides and development standards employed to reach the projected land allocations.

## RESIDENTIAL LAND USE CONSIDERATIONS

Present Situation: Residential uses a majority of the acreage in the Village of Ovid. This area is comprised primarily of single family residents. Future trends are towards two-family, multiple, and trailer dwelling units.

Projected Housing needs: Expected population in 2020 is 2,500. Of 950 persons or about 300 homes.

Future Residential Land Requirements: Development Density Areas: Recommended area for urban residential development have been divided into three basis density classifications: low, medium, and high. Areas of low density development will contain from one to three units. Medium Density development area will contain from three to eight dwelling units per gross acre. High Density development will contain in excess of 8 plus dwelling units per gross acre. Although specific high density areas are not shown on the plan, such uses should be located near major thorough fares, shopping facilities and employment centers for maximum uncontested access and convenience.

Policies: Policies are statements setting forth the means or approaches used to achieve the foregoing goals. The policies help guide in decision making and rational in the development of land.

1. The quality of existing residential neighborhoods should be improved and preserved.
2. Development of land lots in undeveloped subdivisions should be encouraged in areas conclusive to residential development.

3. Subdivision of vacant land should be discouraged unless a specific demand is evident.
4. Residential areas should be attractive, well-designed and well maintained structures with off-street parking and attractive landscaping.
5. Local residential streets should carry only traffic having a local destination. Fast through traffic should be confined to major streets and highways.
6. Future residential growth should be maintained in compact neighborhoods where necessary community services are provided.
7. Residential areas should not be located within flood plain of rivers and streams or in any other location which present hazards to the safety or health of residents.

### COMMERCIAL LAND USE CONSIDERATION

Present Situation: Commercial business is concentrated on Main Street and M-21.

Future Commercial Land Requirements: 160 acres

#### Policies:

1. Related and compatible business should be grouped together in suitable and properly located areas.
2. Improved accessibility and adequate parking for existing facilities should be developed in all commercial areas.
3. Commercial areas should be developed in such a manner that they do not harm adjacent residential areas.
4. Merchant groups should be encouraged to initiate improvement programs to make their shopping areas more attractive and more efficient. Such programs could include landscaping, architectural, and sign control and the provision of off-street parking and loading.
5. Strip commercial developments along major streets should be discouraged where inadequate depth is provided for turning movements because of the conflict that develops between through traffic and commercial traffic.

Below are disadvantages to strip commercial development.

- A. Speculation and inflated land values result in a large amount of dead or unproductive vacant land.
- B. The mixture of homes and commercial uses that normally accompany strip commercial developments depreciates the land for both purposes.
- C. Strip development on both sides of a busy street make pedestrian crossing difficult and hazardous as well as impede merchandising.
- D. Businesses are of marginal nature and add little to the shopping selection and tax base of the community.

E. Scattered strip developments present a more difficult and expansive problem of providing necessary police and fire protection and other community services. It is recognized the settlement pattern along many roads had been established.

6. Highway services areas should be located properly to serve motorists without creating traffic congestion or harming adjacent properties.

## INDUSTRIAL AND LAND USE CONSIDERATIONS

Present Situation: All commercial industrial sites are presently developed.

Future Industrial and Land Requirements: 240 Acres

Location Requirements and Site Control: Industry has emerged in recent years as a very desirable land use activity both from an economic and aesthetic standpoint. The reason had been an increased emphasis on good location, improved industrial practices, and more pleasing site design. Industry had had a great deal to do with modernizing their operations and it is the communities duty to compliment such practices by setting aside desirable sites to accommodate industrial uses. The following criteria was employed to locate proposed industrial areas and can also aid the village in providing additional desirable sites for future industries activity.

1. Location within easy congestion-free access to major highways or railroad lines.
2. Large sites to provide sufficient space for potential expansion, for landscape amenities and for on site parking and loading.
3. Service by water, sewer, fire and police protection.
4. Desirable soils in terms of stability and drainage capabilities.
5. Protection from encroachment by other dissimilar land uses.

### Policies:

1. Adequate utility services and access to needed transportation facilities be provided in all industrial areas.
2. The provision of adequate space for off-street parking and off-street loading should be required.
3. Buffer areas, formed by some combination of off street parking, general Parkways, should separate industrial areas from residential areas
4. Industrial land should not be scattered indiscriminately among other land uses because of greater public services costs and possible harmful effects on adjoining areas.

5. Industrial plants should be grouped together in specific areas or belts. Industrial land should be scattered indiscriminately among other uses because of greater public services costs and harmful effects of adjoining uses.

## PUBLIC BUILDING CONSIDERATION

Agriculture Land Use Considerations: The role of agriculture uses within the village limits will decrease in importance as the village increase in its urban charter. As development progresses the agriculture uses will eventually phase out beyond the corporate limit and will predominately locate in the immediate area surrounding the village. In spite of this decreasing importance within the village caution should be utilized to protect the agriculture uses during cultural uses in terms of destroying the capability of each to function within their designed purposes. Careful consideration will eliminate or reduce any premature conflicting land uses.

Present Situation and future Consideration: There exists a single structure which accommodates the Village Hall, fire station and police station. This structure while built in 1977 needs to be expanded for additional emergency services needs for future community expansion.

## RECREATION CONSIDERATIONS

Present Situation: In terms of acreage the village has enough to meet the current needs of the village in passive and active recreation.

### Policies:

1. A balanced system of recreation facilities should be developed and properly distributed to serve the entire community.
2. Community active and passive recreational needs should be satisfied and provided for all age groups.
3. Neighborhood parks, in conjunction with public schools, should be developed wherever possible.
4. Sites should be acquired or reserved well in advance of expected development.
5. Open space policies should be developed which would preserve scenic or historic sites, reserve land for future urban use, protect irreplaceable natural resources, and maintain prime agriculture land.
6. Policies should be promised which would encourage the development of wood lots and other scenic areas as private recreation facilities.

## UTILITIES

Present Situation: Currently, the village area does have a municipal water system which utilizes an iron removal treatment process.

Future Needs: Expand existing system to serve expected 300 homes and commercial enterprises.

Solid Waste Disposal: This is operated on a contractual basis. Cost is \$66,838.00 per year. Contract with Granger Waste Disposal Co.

Power Fuel and Communications: The availability of electricity, natural gas and telephone service imposes no particular limitation on future development. They may be provided easily to any part of the village area.

## TRANSPORTATION RECOMMENDATIONS

A communities transportation network had many parts and functions all of which must be so related as to provide for most efficient, economical and safe movement of people and goods between various land use activities. Properly planned and coordinated this can make the environment more attractive, strengthen commercial and industrial developments and assist in implementing and stabilizing land use patterns.

Present situation: There are two main roads in Ovid, M-21 and Main Street. M-21 has the highest traffic volume in the planning area.

Principals and Standards: The direction, rate, and type of anticipated growth is in many ways dependent upon the adequacy of the transportation system. Streets and highways must be designed into a well defined hierarchy according to the use they presently accommodate the functions they are expected to assume.

Future Needs: The current system should be adequate to support any growth in Ovid. In case there is an unexpected change then there should be protection of right of ways, and this will allow different access to areas of Ovid.

### Policies:

1. The circulation system should be coordinated with those of adjacent communities to insure an economical and functional system.
2. Provision should be made for the separation of vehicles from pedestrians, through from local traffic fast from slow traffic, and commercial from recreational traffic.
3. Street design and parking and loading facilities should be adjusted to fit the movement, volume, and character of traffic and the adjoining uses of land for both present and future.
4. Major streets and freeways should be so located so as to bound, rather than cut through, residential neighborhoods. Residential streets should be reserved for local residential traffic.

## MASTER PLAN

There are several objectives for the Village of Ovid Master Plan and are described below.

Residential: Residential users are expected to continue as the predominate user of developed land within the village area. The expansion of the sanitary system will be in all probability provide an impetus for continuing residential growth within the village of limits. Low density development will most likely be the major type of residential development and some high in the form of apartment construction may be expected over the planning period.

Commercial: Commercial uses within the Ovid area are grouped together into three areas. The most dominate is the central business areas. The downtown area is designated for commercial activities of the general business type. The second shopping choice is on M-21 which would be highway originated, meaning they depend on traveling such as the gas station. The third commercial area exists at the intersection of M-21 and Hollister Road. Again, this location depends on travel through the area.

Institutional: Little expansion is expected in terms of institutional development.

Industrial: There are two locations of industrial development. The village intends to keep the industrial development in the future in an area as a so called industrial park.

Transportation: The existing transportation system should be adequate as the village grows. If there is significant growth then alterations will need to be made to adopt to the increased population.

### Open Space and Recreational

The designation of the flood plain area along the Maple River and a small area along the Ovid Drain comprise the recommended additions to the communities open space and recreation areas. These areas are not conducive to urban development but do have the necessary attributes for low development such as open space and a park for passive and active recreation.

Agricultural: The southwest corner of the village is designated as agricultural. This area is currently utilized for this use and due to the lack of community improvements on this area and its positive agriculture characteristics, this land has been retained for agriculture usage.

Adoption of the plan: State law allows the planning commission the power to draft and adopt comprehensive development plans. The Village of Ovid Planning Commission has so acted. The Planning Commission is submitting the plan to the Village Council and the public for comment for all suggestions and modification. Final adoption by the Planning Commission will incorporate the master plan as a document of formal governmental policy.

Zoning: The zoning ordinance is the major tool available to the village to structure the land use element of the master plan. The plan indicates population densities for the residential area and general locations for major commercial and industrial areas for the community.

The purpose of zoning is to regulate the use of land and building to protect areas of uniform development from the adverse effects of disruptive land uses of any type that tend to lower the economic value, efficient operation and physical and social amenities of the surrounding properties. It is desired to have unified planning zones and with all new properties to be zoned as RA 2 where feasible.

Also, to develop the downtown area to be the central business and economic growth for the Village of Ovid. The goal is to keep the business in the downtown area on Main Street or on M-21. The encouragement of new business growth is to create more jobs for the village residents and to support future growth in the village and for surrounding areas. Future industrial development would be to direct the industries to an industrial park in a common area within the Village of Ovid.

When lots become available and are small it is felt the best growth for the Village is to combine adjacent small lots together to create larger lots for a more desirable home with space. The Village intends to enforce the blight laws to better the village for future residents.

Subdivision Regulations: Subdivision Control Ordinance adopted 2002. (Copy attached)

The Capital Improvement Program: The Village of Ovid intends to better the conditions for current and future residents of the Village. The recreation opportunities need to be improved for the village. Development of recreation activities for the teenagers is a great need right now. Suggested ideas that are being looked into are a skate park, arcade, and playground structures for all ages.

Another goal is to develop a river walk on the Maple River. This river goes through the Village of Ovid and bisects the non-operating railroad tracks. They intend to connect the two trails to make a length of 4,000 feet for the public to enjoy year round.

The Citizen's Role In Planning: Citizens interest and participation are of utmost importance to the public understanding, acceptance and support of the planning proposals set forth in the document. Citizens can be involved in various aspects as seen below.

1. Forming citizens committees to aid and cooperate with local officials in the decision-making process
2. Helping to formulate community goals and objectives.
3. Soliciting and encouraging broad citizen interest in the planning process.
  
4. Participating in the hearings on the plan to insure that it reflects community-wide rather than special interests.
5. Supporting the plan after adoption to insure that the community interest is being served.
6. Cooperating with the governing body in plan enforcement
7. Protecting the plan from indiscreet or piece-meal change which will cause the disintegration and subsequent ineffectiveness of the document.
8. Backing financial support for plan effectuation.

Planning for the community does not terminate when the plan is completed. Planning is a continual process. Periodically new data must be collected, analyzed and integrated into a revised plan to assure that it will not perish. Citizen interest and participation should also be a continuing process. The village belongs to the citizens and their interest in the community is vital to the Village of Ovid.

Table 12  
Land Use

<u>Land Use</u>	<u>Acres</u>
<u>Residential</u>	<u>235.56</u>
<u>Commercial</u>	<u>17.252</u>
<u>Industrial</u>	<u>17.413</u>
<u>Utilities and Communication</u>	<u>2.5</u>
<u>Institutional</u>	<u>35.5</u>
<u>Parks &amp; Recreation</u>	<u>50</u>

Transportation	80
Agriculture	85.91

Housing:

Sound: Housing which has no defects or only slight defects which are normally corrected during the course of regular maintenance.

Deteriorating: Housing which needs more repair than would be provided in the course of regular maintenance. It has one or more defects of an intermediate nature that must be correct if the unit is to continue to provide safe and adequate shelter.

Dilapidated: Housing which does not provide safe and adequate shelter. It has one or more critical defects or had a combination of intermediate defects in sufficient number to require extensive repair or rebuilding, or is of inadequate construction. There has been little new building activity in the village. It would be advantageous for the village to concentrate on the general upgrading of housing structures in the community. Deteriorating housing should be replaced or remodeled as needed, while dilapidated housing should be replaced with more adequate structures that will provide healthy and safe dwellings. Precautions then must be taken to prevent future blight and to assure the eventual removal of substandard structures

Average lot size:

Density	Average lot width	Average lot depth	Average square
High	50	115	5,750
Medium	100	115	11,500
Low	100	215	21,500

Industrial uses: About 15 acres are used for industrial purposes. All durable manufacturing occurs south of M-21 on Main Street. The immediate area around Ovid contains zero acres of industrial uses. Quarries located on the east and west side of the village contributes approximately zero acres to this industrial figure. The remainder is devoted to no manufacturing and no durable manufacturing.

IMMEDIATE VILLAGE AREA.

### Solid waste disposal

Refuse disposal has become an increasing concern in most urbanizing communities today. Solid waste consists of garbage and rubbish. The first being animal and vegetable waste and the second being tin cans, glass, metal, combustible material. The primary consideration in refuse disposal is that of health and sanitation. Refuse serves as feeding and breeding places for rodents, troublesome insects, including mosquitoes and roaches. In addition poor storage and disposal operations may result in fire hazards, water pollution and air pollution problems to a community.

### RECYCLING:

Power, fuel and communications: The Village of Ovid receives all electricity and natural gas from the Consumers Energy Company which serves all the tri-county region with natural gas and is the second leading producer for electricity in the region. Telephone service is provided to the Village by Verizon.

## PROBLEMS WITH EXISTING DEVELOPMENT

Mixed Land Use: Property owners do not have adequate control of the type of development that will occur on surrounding land. The rundown mixture of residential, commercial and industrial uses causes undesirable side effects for example, noise, traffic and safety.

Commercial Development: Commercial facilities create problems of compatible land development and unsafe transportation movements. Commercial occupancy within the central business district may decrease the quality of facilities located in the area.

Housing Quality: The quality of housing in the village is generally poor. In the future steps will be needed such as possible urban renewal programs, in the mean time, further blight and deterioration should be curbed.

## FACTORS AFFECTING DEVELOPMENT

TOPOGRAPHY: The topography of the Ovid area is the direct result of a catastrophic event which took place millions of years ago. The geologic time period named for this event is called Pleistocene, or "ice age." During this time great glaciers of ice moved across Michigan with thickness in excess of 300 feet. These great sculptors of land advanced and receded four times during this period. Each time the melting ice left behind more glacial debris than before. Erosion resulting from the melt waters of the glaciers formed the hills, valleys, lakes, and streams which constitute the present topography.

Generally, the Ovid area slopes from east to west in terms of topography. The highest point is in section 16 of Shiawassee County, where the elevation is 768 feet above sea level. The low point of the area is found at the junction of the Maple River and the Little Maple River in section 4 (Clinton County) where the elevation is 716 feet above sea level.

There exists no major or drastic land elevation change within the area. The Maple River flows through the area from the southeast to the northeast with slopes falling to meet it's level as it bisects the community. Topography in Ovid is gentle in terms of slope gradients, however, other problems arise due to the presence of various soil types along the path of the river.

Soils: Soils in the Village of Ovid are mixed in terms of drainage capabilities. Poorly drained soils exist predominantly along the Maple River and the various drain areas. Somewhat poorly drained soils also exist within the Village, intertwined with spots of well drained soils. The ability of the soil to drain, determines in a large degree the suitability of the soil for urban uses. Many areas appear to offer potential problems to urban development, thereby being possible area for acquisition and prevention as open space or park and recreation usage.

Classification	Acreage	Total
Non manufacturing	5	
Quarrying and mining	0	
Non-durable	4	
Durable	4	
Total	13	

Recreational Uses: Recreation uses approximately 60 acres of the village area.

Institutional Uses: Institutional uses consume 35.5 acres of the total village area. Education facilities provide the greatest land user within the corporate limits. This is primarily due to the large amount of educational recreation facilities located in the northern sector of the community.

The village cemetery is the second largest land used with 11 acres. Health and welfare, religious and administrative comprise the remaining 30.5 acres.

Use	Corporate Area	Immediate Area	Total
Administrative	.5	-0-	.5
Educational	21	11	32
Religious	3	13	16

Cemeteries	6	2	8
Total	30.5		

Transportation Systems: The extent and condition of the local transportation network is one of the dominants of it's future growth. Transportation serves people who are engaged in activities of all sorts; working, playing, shopping, living, etc... Transportation routes connect the land uses which generate such activities or places or activities.

The planning area is geographically located between the urban centers of St. Johns and Owosso. This relationship is greatly influenced by the presence of M-21 which enables rapid movement and communication between these two cities. For purposes of this analysis, transportation will include both the street and highway system. The table below shows the acreage of the planning area.

TABLE 11  
TRANSPORTION

<u>Use</u>	<u>Acres</u>
<u>Streets</u>	<u>80.4</u>
<u>Rail Road</u>	<u>N/A</u>

When compared to the total acreage of the village it can be seen that the 77 acres of streets in Ovid represent 13.5 percent of the total land area. For the surrounding area where there are 250.5 acres of developed land. Of this total, streets represent 28.7 percent of the developed area.

These percentages are high, but it needs to be understood there are about 200 acres that are undeveloped and currently being used for agriculture in the immediate area of the total 887 acres. As future development occurs, proper planning of future streets should reduce this total to a desirable level. This would lead to a logical and orderly use of land resulting in an efficient land pattern with minimum waste.

The extent and condition of the village transportation network is perhaps one of the most critical determents of its future growth. To accelerate growth people must have access to the village. Without this access, growth is slowed and the village remains static.

Transportation serves people who are engaged in activities of all sorts; working, playing, shopping, living... It is no wonder that we find transportation routes connecting the land uses which generates such activities. This movement by people and goods between activities is caused by transportation and land use relationship.

We find that certain types of land uses generate a greater amount of traffic than others. The understanding of the transportation system in Ovid is necessary before planning of future growth and expansion can be initiated. Such information is a very important element in providing the basis for future planning.

The following definitions are offered to provide a better understanding of streets and highway.

Local Street: Provides access to individual abutting properties.

Collector Street: Collects and distributes low speed, medium volume local Street traffic and moves it to and from arterioles, and provides direct access to individual abutting properties.

Minor arterial: Moves through traffic at moderate speeds and volume to and from major aeriels, expressways and other traffic generators, and provides direct access to individual abutting properties.

Major arterial: Moves through traffic at high speed and volume to and from highways and other major traffic generators with full or partially controlled access.

Freeway: Moves through traffic at high speed and high volume between major traffic generators with fully controlled access.

Major Streets and Highways: There are 80.4 acres of right of way for streets, roads, and highways in the village transportation system. The following are explained below.

3.63 miles of Major Street

5.66 miles of Local Street

State Trunk Lines: The Village of Ovid is bisected east and west by the state highway M-21, which provides a connecting link between Grand Rapids and Port Huron. M-21 provides the major facility for circulation between Ovid and the surrounding communities. Presently there exists scattered elements of both, residential and commercial development along M-21.

County Primary Roads: Within the planning area there exists two roads, by their function, can be designated as country primary roads. Hollister road, north on M-21 and

Ovid Road, south of the village limits provides the basic area links to M-21, from Elsie and the southern portion of Ovid township, including the Round Lake area in Victor Township.

County Local Road: All streets outside of the village limit and within planning area which have not been designed as state trunk or county primary facilities are classified as county local roads. These roads function to channel low volumes of traffic, generated by scattered residences, onto roads carrying relatively high traffic volumes.

Village Major Streets: In the Village of Ovid, the major streets consist of Main, Williams, sections of Elm, East, Meridian, and South. Figure 4 shows the location and relationship of these to the community. These streets collect and distribute low speed, medium volume, local street traffic and provides for traffic movement to and from M-21. Also, the major streets provide direct access to individual abutting properties.

Village Local Street: All streets within the village limits not designated as major streets are classified as local streets. Their purpose is to provide direct access to individual abutting properties.

General Agriculture and Vacant Land: The corporate limits contain 49.9 percent of agricultural and vacant land. This comprises about 285.5 acres of the corporate total of 572 acres. The majority of the land is located in the southern one-half of the total village limits. Four acres of this is used for nursery use.

State Turnpike M-21: the right of way on M-21 varies from 100 to 150 feet as it bisects the planning area. This allows for 24 feet for traffic moving in the opposite direction.

County Primary and Local Road: Sixty-six feet of right of ways represent the average for the county primary and local roads. On the primary roads the average pavement width is 20 feet with two travel lanes.

Village Major and Local Streets: Ovid's streets on the average have a right of way of 66 feet. Main street is the exception with a 100 feet right of way between the intersection with M-21 and the northern corporate limits. The village streets have two travel lanes with parking on the graveled shoulders. In the downtown area Main Street has two travel lanes with parking on the shoulders. The downtown area, Main Street had two travel lanes with angle parking utilizing a considerable amount of the 100 foot right of way.

Traffic Volumes: Due to the size and function of M-21 and the traffic generation effect of downtown business are, M-21 and Main Street carry the greatest volumes of traffic during the average daily period.

Traffic Generators: Traffic generators are those that land use functions which attract a high percentage of vehicular traffic. This explained by a large factory or shopping center. In Ovid major generators of traffic are the Michigan Milk Producers Plant and central business district on Main Street. The former should receive considerable attention due to the nature of the traffic associated with its function, mainly large trucks. Other generators exist in terms of the commercial facilities located on M-21 and the industrial facilities in the southern portion of the Village on S. Main Street.

Governmental Responsibility: Three different governmental levels are directly responsible for constructing and maintaining streets and highways in the planning area. These include the Village of Ovid, Clinton County, and the State of Michigan. On selected highways, the federal government can provide 50 percent match funds. In the Ovid area the roads involved would be Hollister, Ovid and M-21. Such projects and funds are administered by the State of Michigan. Ovid Township is not directly involved in construction and maintenance except as part of the county.

Other Transportation Facilities: Public Air Service: The closest commercial air services facilities to the Ovid area are found in Flint at the Bishop Airport. Also, in Lansing at the Capital City Airport. In Owosso there exists the Owosso City Airport, which offers chartered flying service to the Ovid area.

Bus Service: Owosso had the closest bus station to the Ovid area with the location of the Indian Trail Bus Line. St. Johns does not have a regular bus station; however, the North Star Bus Lines do have an established bus stop within the city.

Taxi Service: The nearest taxi service for the Ovid area is located in the Owosso area.

COMMUNITY FACILITIES AND UTILITIES: In order to conduct daily governmental activities and furnish the essential public services to the citizenry of the community, public buildings and facilities and required. The provision of these important communities requires both space and structures adequate in size and composition to allow the proper performance of their respective functions. Location is important. With regard to location, public facilities may be categorized as follows:

1. Those that service the entire community and are consequently most advantageously located near its center.
2. Those that serve sections or neighborhoods within the community are therefore, dispersed in strategic neighborhood locations.

A village-township hall, city library, or post office would fall on the first group comprised of elementary schools, neighborhood parks, and 14.5 acres. Such facilities, regardless of function, should be located where they are economically, aesthetically and conveniently

most advantageous to their users. Public facilities are meant to include government, police, fire, education, and recreation.

Education: the public schools is often the most important facility in the community. There are two reasons for this. The first is that the school serves the education function so necessary to the upbringing children and secondly the school is a localized center for community and neighborhood social and recreational activity.

Recreation: Many factors tend to increase the demand for outdoor recreation facilities. Population growth, more leisure time, higher incomes, increased mobility and changing social patterns have influenced the demand for a greater variety and quantity for these facilities.

Within the corporate limits, the village has devoted a seeming small amount of land for recreational facilities. Privately owned facilities in terms of Tri-Ami Bowl, and the little league baseball fields contributed to add additional recreational facilities to the village proper.

The Village owns about 40 acres of park land in the north village area. This park acres has considerable significance in terms of providing recreational facilities for the community. The Roy Gumaer Park is used by the local people and from surrounding townships. Due to installation of electricity, bathrooms etc, at Gumaer Park rentals for each of the two pavilions have increased double. Improvement plans include refurbishing Gumaer Park sign and flower bed, flag pole and flag, tiling where park floods, fix areas for more parking, a badminton court, water line to back pavilion, water fountain, repair the pathway for runners/walkers along side the gravel road.

The Village of Ovid was directly influenced by the construction of the Sleepy Hollow Park which is directly south of the village. Sleepy Hollow is part of Ovid Township and part of Victor Township. This state park provides additional recreational opportunities and has drawn more people to the area which this recreation opportunity. As development increases there will be a greater demand for large community parks. These will provide both active and passive recreation to the area.

The Village has been awarded a grant from the Kellogg Company to make drastic improvements to the youth football field early in 2010 as well as adding a soccer field. A skate board area was installed in 2009 along the Rails to Trails corridor. The Committee is requesting information from residents on what the Committee can do for the ball fields etc, for the children in case grants become available.

Fire and Police Protection: the extent of fire districts, the size of local services areas and the location of fire stations is strongly influenced by the recommendations of the National Board of Fire

Underwriters. This board sets standards for administrative organizations, equipment and the location of fire protection facilities for the purposes of fire insurance rating. The ratings are obtained by evaluating seven different items and assigning deficiency points to each one relative to the seriousness of its deficiency.

Village of Ovid, Ovid Township and Middlebury Township had a combined volunteer facility located within the village limits on Front Street. This facility is combined with the fire station, police station and the Village Hall with a total of 10,000 square feet, built in 1977. Ovid's fire equipment services not only the village and township, but also Middlebury Township and the southern edge of Duplain Township 24 are currently employed by the fire station.

The police station uses 900 square feet of the municipal building. Three full time and 3 part time equivalents are the police staff.

Ovid also has a post office, town hall, and a library. Ovid post office is located on Main Street and was built in 1959. They employ 8 people for 1,740 square feet. The post office is located to provide the greatest accessibility to the public. Ovid's post office is a second class facility because of the service area it handles.

The Ovid Library was established in 1947 and remodeled in 1996. They are jointly supported by the township and the village. Financial support from the village is from local tax income and other sources of gifts, endowments, book fines. Four people are employed.

## PUBLIC UTILITIES AND SERVICE AREAS

The primary function and purpose of the public utility system:

- \* Procurement, treatment, storage, and distribution of potable water.
- \* Collection, treatment and disposal of domestic and industrial waste, collection/dischage of surplus surface runoff waters.
- \* Collection, treatment and disposal of solid waste.
- \* Supply and distributors of power and fuel.
- \* Means of communication.

Although each element of this utilities network exerts some influence on the present and future rate, direction and pattern of urban development, water availability and sanitary sewer systems are the most influential.

Water Supply: A continuous supply of high quality water is a vital necessity for modern living. All activities whether residential, commercial, industrial, public, have certain

unique and basic water requirements. Development occurs where water is available. The water system may be expected to offer the following benefits:

- Increase the possibility at attracting new industry
- Provide sufficient water for all users
- Improve water quality through treatment
- Improve fire protection potential and therefore, reduce fire insurance rates

Ovid has a public water system. This system uses a well to extract ground water for the village water source. Due to the quantities of iron found in the water supply, the plant is characterized by the utilization of the iron-removal treatment process. The treatment plant is designed to treat flow of 1.5 million gallons per day. Water storage is accommodated by the use of an elevated tank.

Sewage Disposal: The provision of and adequate sewage disposal system is one of the most important services required for healthy living.

Storm Drainage: the village has artificial storm drainage system in the upper portion of the village limits. Areas north of M-21 are presently served by this system which empties into the Maple River. The village is located in the Maple river drainage basis. The river provides the predominate source of natural drainage for the area.

Revised 2-17-09 – Draft

3/10/10 – Revised by Ofelia/Ileen – Draft

3/30/10 - Revised by Bill/Ilene – Draft

4/12/2010- Council for review/is

5/19/10 – copies made per Ofelia for next  
Council meeting. is



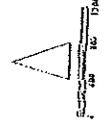


# VILLAGE OF OVID AND VICINITY

AND VICINITY

## TOPOGRAPHY

UNITED STATES GEOLOGICAL SURVEY-1918



SCALE OF 1" = 100'  
REPRODUCTION OF ORIGINAL SURVEYING  
MAPS BY THE UNITED STATES GEOLOGICAL SURVEY  
OVID, VILLAGE OF OVID, MISSISSIPPI  
January 1918

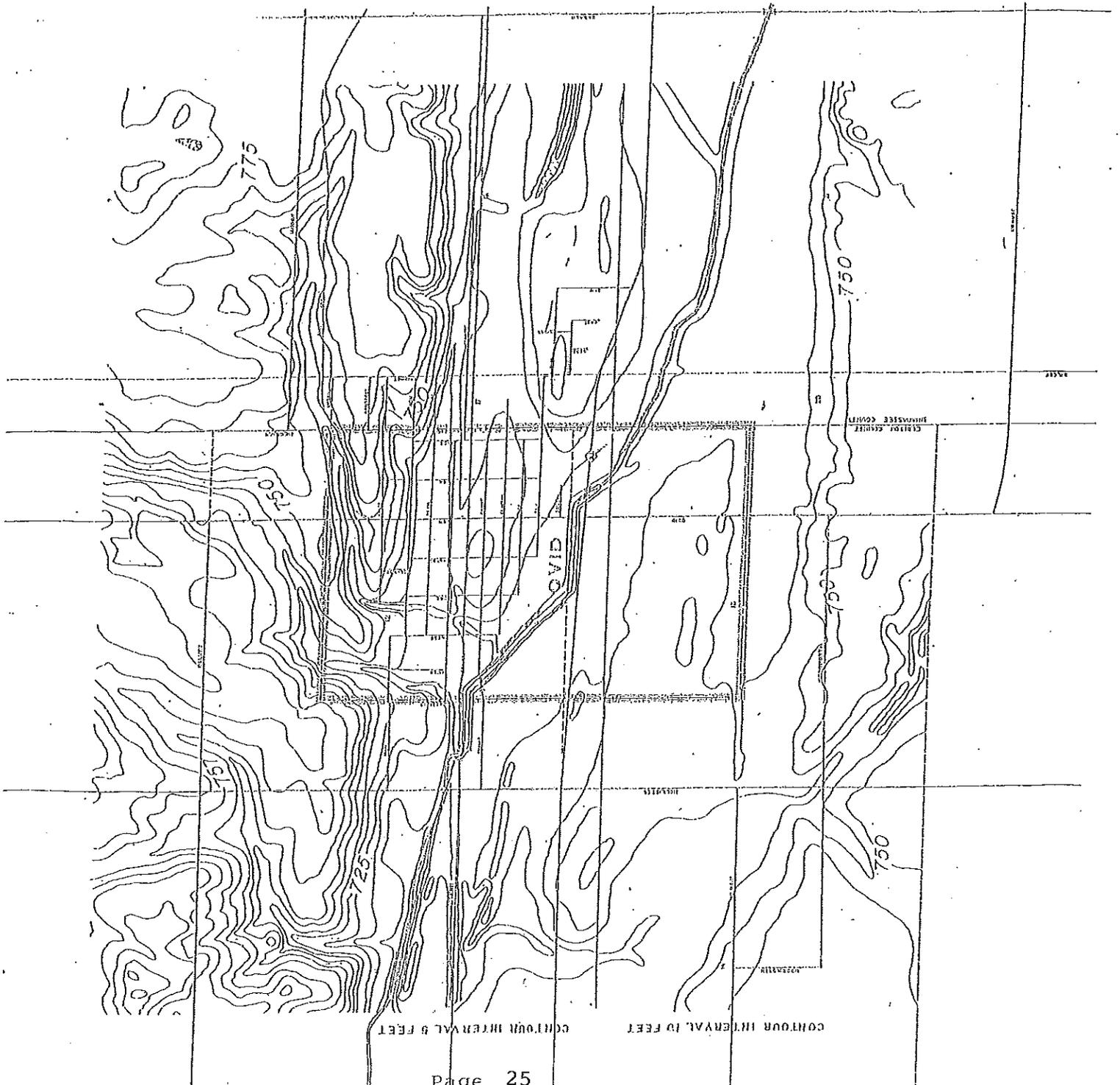
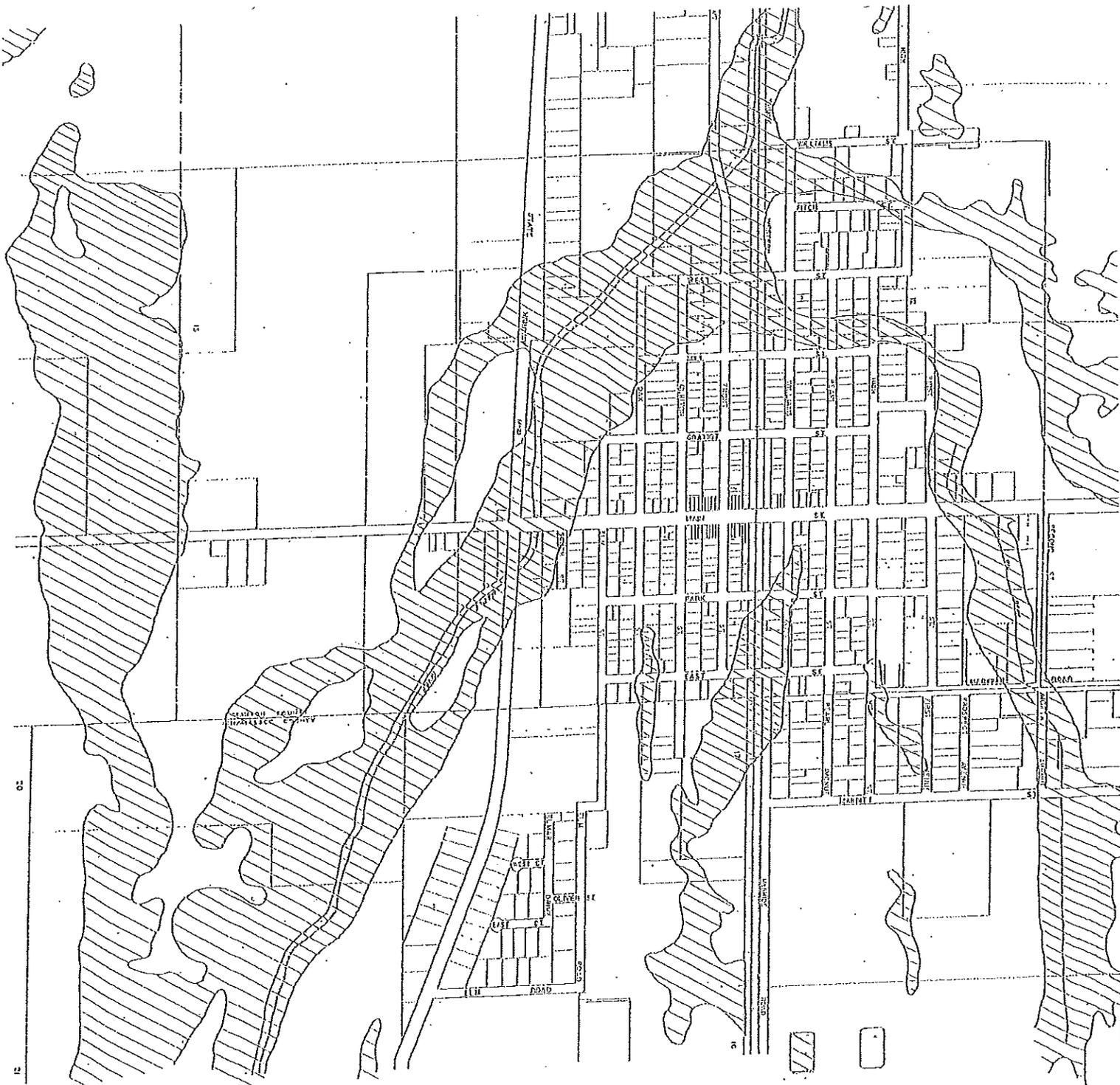


Figure 11



VILLAGE OF OVID  
 GENERALIZED DRAINAGE  
 CHARACTERISTICS

-  Well Drained to Somewhat Poorly Drained
-  Poorly Drained to Very Poorly Drained
-  Poorly Drained

SCALE: 1" = 100'  
 Prepared by: Michigan State Planning Commission  
 145 West Grand Street, Lansing, Michigan 48912  
 2010 VILLAGE PLANNING COMMISSION  
 Lansing, Michigan 48912

Figure 12

VILLAGE OF OVID

STREET CLASSIFICATION

- STATE TRUNKLINE 
- COUNTY PRIMARY 
- VILLAGE MAJOR 
- COUNTY AND VILLAGE LOCAL 

Street Systems

ACT 51 PUBLIC ACTS 1951



SCALE OF 1" = 100'

INCORPORATED UNDER THE GENERAL PERMISSIVE ACTS OF THE LEGISLATURE OF THE STATE OF MICHIGAN, 1951

BY THE VILLAGE BOARD OF OVID

APPROVED: \_\_\_\_\_

DATE: \_\_\_\_\_

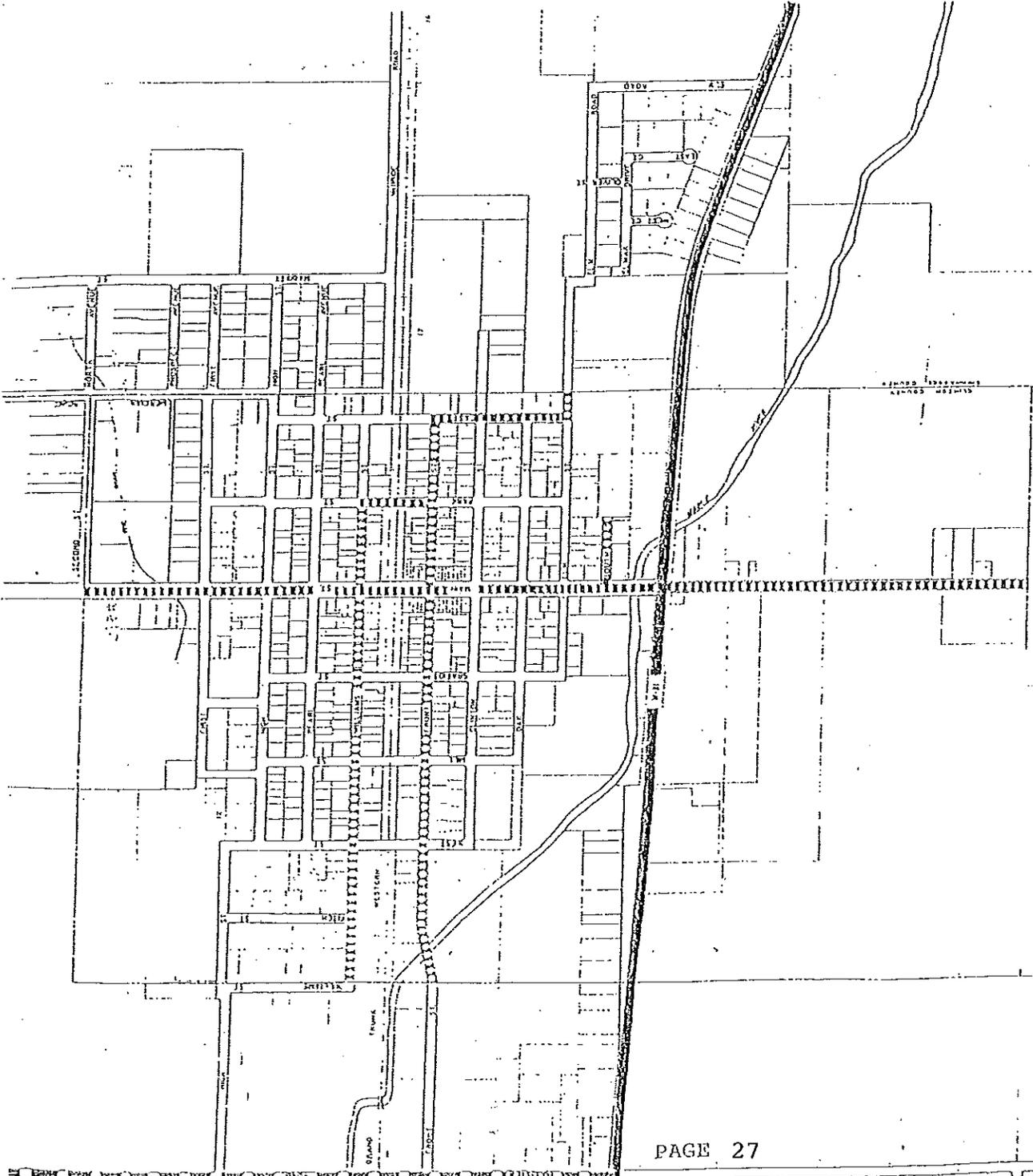
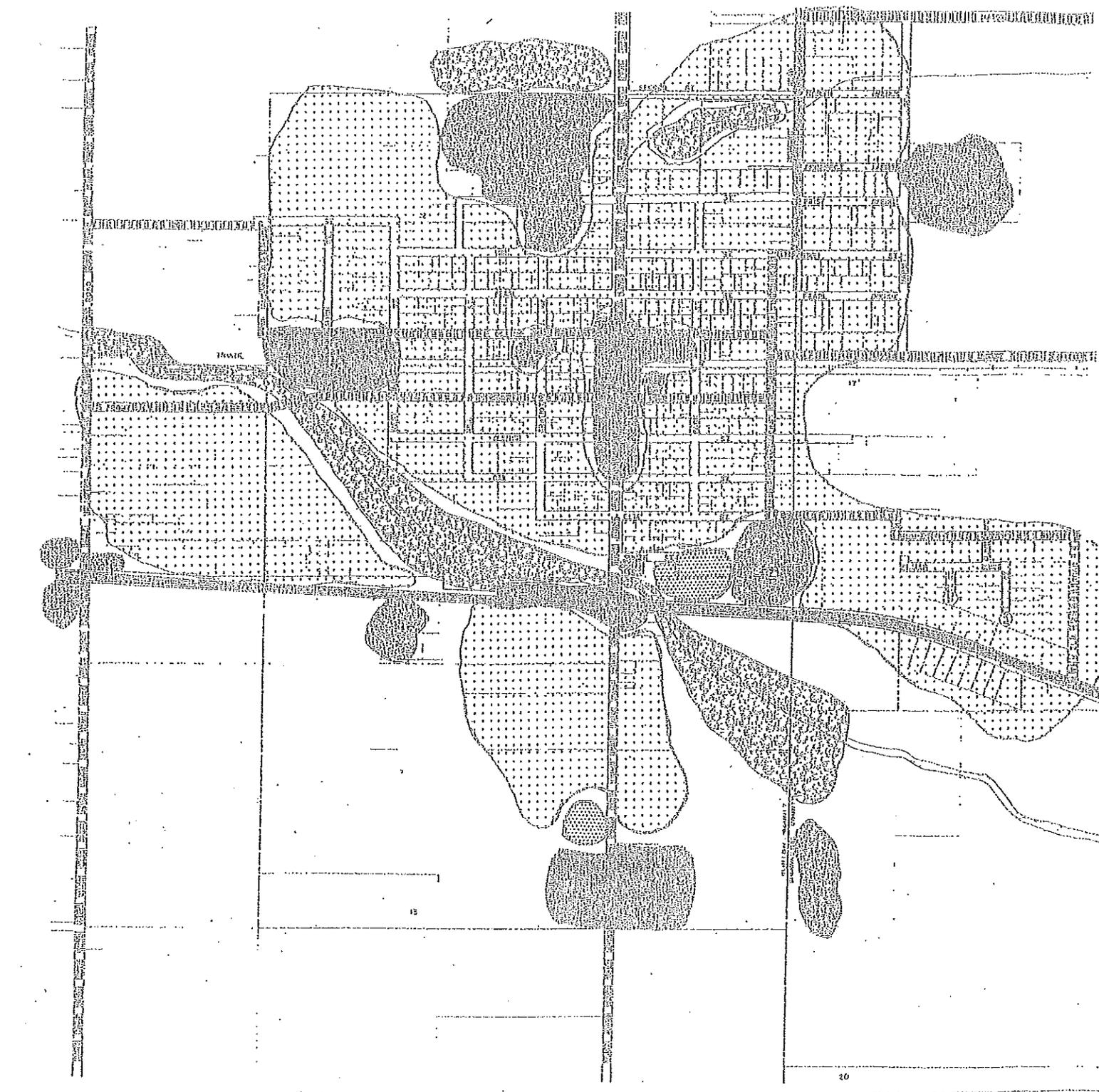


FIGURE 3 MAJOR STREETS AND HIGHWAYS





SUBDIVISION CONTROL ORDINANCE  
VILLAGE OF OVID

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## SUBDIVISION CONTROL ORDINANCE - VILLAGE OF OVID, MICHIGAN

An Ordinance to regulate the subdividing or platting of land within the Village of Ovid, Michigan and providing for the procedure for the filing of preliminary and final plats, for design standards and for the installation of improvements.

The Village of Ovid, Michigan ordains:

### SECTION 1. DEFINITIONS

For the purpose of these regulations, certain words used herein are defined as follows:

- A. Alley or Service Drive - A passage or way affording generally a secondary means of vehicular access to abutting properties and not intended for general traffic circulation.
- B. Council - Shall mean the elected legislative body of the Village of Ovid.
- C. Developer - The owner of the property being subdivided, or the owner's heirs, executors, administrators, legal representatives or successors. The word shall be deemed to include the plural as well as the singular and may mean either a natural person, association, partnership, corporation or a combination of any of them.
- D. Improvements - Street construction and surfacing, curb and gutter, water mains, storm and sanitary sewers, sidewalks, walkways, graded outlaws and bridges or culverts.
- E. Land Division Act - PA 288 of 1967, as amended, the Act which regulates the subdivision of land in the state of Michigan.
- F. Land Use Plan - the Land Use Plan which has been adopted by the Village Council as specified in ACT 285, P.A. of 1931, as amended.
- G. Local Street - A street dedicated to the public and intended to serve and to provide access to neighborhoods or sub-neighborhoods.
- H. Lot Double Frontage - A non-corner lot which fronts on two streets.
- I. Major Street or Highway - A street or road which serves or is intended to serve as a major traffic way and is designated in the Land Use Plan as a Major Street.
- J. Municipal Standards - Standards and specifications of construction and installation as established and administered by the Village.
- K. Village - Shall mean the Village of Ovid.
- L. Planner - The Planner for the Village of Ovid or the Planning Consultant designated by the Village of Ovid to provide planning services.
- M. Responsibility - The cost of labor and materials for installation.
- N. Subdivide - "Subdivide" or "subdivision" means the partitioning or splitting of a parcel or tract of land by the developer thereof or by his heirs, executors, administrators, legal representatives, successors or assigns for the purpose of

sale or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that is not exempted from the platting requirements of the Land Division Act.

## SECTION 2. PROCEDURE BY DEVELOPER FOR FILING PLATS

### A. STEP ONE (Developer's Option) - Pre-Preliminary Plat:

1. The developer may wish, at their option, to present a conceptual representation of the entire proposed subdivision to the Village for information and feedback. The Village is not required to vote to approve or deny, but can give the developer their preliminary recommendations on the proposed subdivision. Recommendations at this stage shall not infer approval at later stages
2. The following items shall be required if the developer wishes to submit a Pre-Preliminary Plat:
  - a. Lot sizes and lot dimensions.
  - b. Street layout.
  - c. Zoning of the property within the enclosed plat.
  - d. Developer's name and address.
  - e. Property boundary.
  - f. Adjacent property and Land Use.
  - g. Location map.
  - h. Proposed phases.
  - i. Existing contours.
  - j. Existing natural features (wooded areas, flood plain, wetlands, open water, streams, etc.).
  - k. Existing easements.
  - l. General proposed utility information.
3. The developer shall submit 10 copies to the Village Clerk. The Village Council shall consider the pre-preliminary plat at the first Village council meeting held at least 30 days after submission to the Village Clerk.

### B. STEP TWO - Preliminary Plat for Tentative Approval:

1. The purpose of this step is to provide the developer with Village approval prior to the effort of obtaining jurisdictional agency approvals. All items required for final preliminary plat shall be provided at this step, with the exception of the preliminary approvals from other jurisdictional agencies.
2. Items required on the Preliminary Plat for Tentative Approval:
  - a. All items required for pre-preliminary plat review:
    1. Lot sizes and lot dimensions.
    2. Street layout.
    3. Zoning of the property within the enclosed plat.
    4. Developer's name and address.
    5. Property Boundary.
    6. Adjacent property and Land Use.
    7. Location map.
    8. Proposed phases.
    9. Existing contours.
    10. Existing natural features (wooded area, floodplain, wetlands, open water, streams, etc.)
    11. Existing easements.
    12. General proposed utility information.

- b. Survey of property and legal description.
  - c. Name of the proposed development.
  - d. Name, address, and phone number of developer and surveyor or engineer that prepared the plat.
  - e. Location map of subdivision, including section and range.
  - f. Utility layout including connections to existing systems, pipe sizes (storm sewer size can be estimated), fire hydrant locations, sufficient sanitary and storm sewer inverts to ensure adequate depth, storm detention/retention areas, storm sewer outlets and any proposed utility easements. Drainage calculations are not required at this stage.
  - g. Names of abutting subdivisions.
  - h. Street names, right of way, right of way widths and typical road cross sections.
  - i. Proposed drainage should be indicated either by proposed contours or by drainage arrows. Drainage arrows should be sufficient to show preliminary drainage direction of the entire development.
  - j. Provide complete language for any and all deed restrictions, or state that there are not any proposed.
  - k. Indicate all flood plain areas.
  - l. Indicate any wetland areas that are regulated by the Michigan Department of Environmental Quality.
  - m. Show required zoning setbacks. On corner lots, indicate where the front of the lot is. Verify that the minimum frontage requirements are met at the setback line.
  - n. Date, north arrow and scale.
  - o. All parcels of land proposed to be dedicated to public use and conditions of such dedication.
3. The developer shall submit 10 copies of the preliminary plat to the Village Clerk at least 30 days prior to the next Village council meeting. Upon receipt, the Village Clerk shall submit copies to members of the Village Council and shall make one (1) copy available to each of the DPW, Fire Department, and Police Department, who shall review the preliminary plat and provide written comments to the Village Council at least two (2) weeks prior to the next meeting.
4. Public Hearing Review of Tentative Preliminary Plat
- a. Before making a decision on the preliminary plat, the Council shall hold a public hearing, notice of which shall contain the date, time and place of hearing, and shall be sent by Certified Mail to the Developer and owners of land immediately adjacent to the proposed subdivision, at least seven (7) days prior to the hearing date.
  - b. The preliminary plat and any required accompanying data shall be reviewed by the Village council for the purpose of checking its compliance with the Land Use Plan, Zoning Ordinance, other applicable Village ordinances, and other specifications of this Ordinance, all in accord with sound engineering practice.
5. Village council Review of Tentative Preliminary Plat
- a. The Village Council shall make a determination on the preliminary plat within 90 days of filing of the plat with the Village Clerk. The Village Council shall either:
    - 1. Tentatively approve the preliminary plat; or,

2. Deny the preliminary plat, setting forth reasons for not tentatively approving the preliminary plat and the requirements for tentative approval.
- b. Village Council approval shall be good for a period of one (1) year. The approval can be renewed upon application by the developer and approval by the Village Council.

**C. STEP THREE - FINAL PRELIMINARY PLAT APPROVAL:**

1. This is the final approval stage prior to the developer producing construction drawings and obtaining construction permits. All items required on the Preliminary Plat for Tentative Approval are required on the Final Preliminary Plat.
2. Before the final preliminary plat is placed on the Village council Agenda, the developer must obtain preliminary approvals from:
  - a. Clinton County Road Commission (if the proposed subdivision includes or abuts roads under the road Commission's jurisdiction).
  - b. Clinton County Drain Commissioner.
  - c. Michigan Department of Environmental Quality (if the land proposed to be subdivided abuts a wetlands, flood plain, lakes and streams).
  - d. The developer shall send two copies to the Clinton County Plat Board.
  - f. The developer must notify all public utilities in the Village by certified mail (Consumers Energy, TCI Cable and GET and the Ovid-Elsie Community Schools).
3. Village Council Review of Final Preliminary Plat:
  - a. The Village Council shall make a determination on the final preliminary plat with 20 days or their next regularly scheduled meeting. The Village council shall either;
    1. Tentatively approve the final preliminary plat; or,
    2. Set forth reasons for not tentatively approving the final preliminary plat and the requirements for final approval.
  - b. Final approval of the Preliminary Plat by Village Council may be valid for a period of two (2) years. The approval can be renewed upon application by the developer and approval by the Village Council.

**SECTIONS 3. FINAL PLAT**

- A. The Developer shall file with the Village council the following, in compliance with the requirements of ACT NO. 288 of the Public Acts of 1967, as amended, and any other requirements stipulated in this Ordinance.
1. A mylar copy and five (5) blueprint copies of the final plat.
  2. Certificate of Title prepared by an attorney at law.
  3. As-builts of each improvement, including streets, sanitary and storm sewer, and water lines along with inspection and testing reports demonstrating compliance with the standard specifications of the Village Utility Ordinance, adopted Village Infrastructure standards and this Ordinance.
  4. An agreement with the Village containing a restriction upon the plat whereby the building inspector will not be permitted to issue a building permit for any structure upon any lot within said subdivision until the improvements as specified herein have been completed, or satisfactory arrangement have been made with the Village for the completion of said improvements. These plat restrictions shall be made a part of all deeds or contracts for any lot within the subdivision.

5. Plat restrictions, if such are proposed by the Developer, shall be submitted with the final plat. Such restrictions shall not be in contradiction to those of the Zoning Ordinance or any other Ordinance of the Village. These restrictions shall become a part of the final record plat and shall be recorded along with the plat in the office of the Clinton County Register of Deeds.

#### B. Final Plat Approval

1. Final record plat approval will be granted only under the following conditions:
  - a. That the Developer has submitted the required number of copies of the final plat.
  - b. That the Developer has submitted necessary engineering drawings, as required by this Ordinance, and said drawings have been checked and approved for compliance with engineering standards by the Village or other agencies with authority to approve subdivision improvements.
  - c. That the Developer has installed all improvements. The developer may, at the Village's option, bond in the amount of the cost of installation of all improvements. The bond shall accrue to the Village, and shall be in an amount equal to the total estimated cost for completing construction of the specific public improvement, including contingencies, as estimated by the Village Council for their engineering consultant. The term length in which the bond is in force shall be for a period to be specified by the Village Council. The bond shall be with a surety company authorized to do business in the State of Michigan and acceptable to the Village Council. The escrow agreement shall be drawn and furnished by the Village.
2. By the Village Council
  - a. Upon receipt of the final plat and other related material, the Council shall take action upon said plat in accordance with the requirements of the Land Division Act, and requirements of this Ordinance. In case of disapproval, the reasons for such action shall, by written communication, be transmitted to the Developer who shall, within a reasonable time, resubmit to the Council any changes or alterations stipulated in the Council's action of disapproval.
  - b. Upon approval of the final record plat, the Village Clerk shall, in accordance with the Land Division Act and any other applicable requirements, file said plat (eight copies), agreements, restrictions and fees with the Office of the County Register of Deeds.

#### SECTION 4. CONSTRUCTION PLANS

No Developer proposing to subdivide land within the territorial limits to which these regulations are applicable, shall enter into any contract for the sale of, or shall offer to sell said subdivision or any thereof until final plat approval has been obtained, and the developer has completed construction of all improvements, or has bonded with the Village for the cost of the improvements. The developer shall not proceed with any construction work on the proposed subdivision, including grading, until he or it has obtained from the Village Council the final approval of the preliminary plat of the proposed subdivision.

It shall be the responsibility of the developer of every proposed subdivision to have prepared by a Professional Engineer registered in the State of Michigan, a complete set of construction plans, including profiles, cross-sections, specifications, and other supporting data, for the required streets, utilities and other facilities. Such construction plans are subject to approval by the responsible public agencies shown. All construction plans shall be prepared in accordance with the standards or specifications contained herein.

Upon completion of the construction of all required streets. Utilities and other facilities, the as built drawings shall be verified by a Profession Engineer registered in the Sate of Michigan and submitted to the Village Clerk.

SECTION 5. SUBDIVISION DESIGN STANDARDS

A. Streets and Alleys

1. The subdivision of land or the dedication of land for streets, alleys, highways, parks or other public uses shall conform to the Land Use Plan as approved by the Village Council.
2. In the preparation of new subdivisions, provisions shall be made for the continuation of existing or platted streets in adjoining or adjacent subdivisions or parcels of land, insofar as they may be necessary for public requirements. The center lines of such streets shall coincide with the center lines of existing streets. In general, the streets shall extend to the boundary of the subdivision to provide proper access to the adjoining property and provide for proper connection with the street system for contiguous and adjacent land.
3. Minimum rights-of-way widths shall be as follows:
  - a. Major Arterial and Collector Streets and Parkways - eighty (80) feet.
  - b. Local Street - sixty six (66) feet
  - c. Alleys and Service Drives - forty (40) feet
  - d. Walkways - ten (10) feet
4. Intersections of street shall be at an angle of ninety (90) degrees or as close to such an angle as practicable, but in no case less that sixty (60) degrees. Termination of streets at intersections shall be clearly defined.
5. In case of approval of cul-de-sacs (courts) because of topography or other reasons, a turning area having a minimum radius of fifty (50) feet shall be provided, and in no case shall such a street have length greater than five hundred (500) feet.
6. Dead-end streets shall be accepted only when the street will be extended in the future.
7. Where subdivisions are adjacent to a railroad, a street shall parallel the railroad at a distance of not less than two hundred (200) feet.
8. Where subdivisions are adjacent to a major street, the subdivision shall be designed to minimize the number of lots fronting onto the major street. This is required so as to minimize the number of turning points onto the major street. For lots which front onto an interior street but back onto a major street, driveway accesses shall be onto the interior street only.

FRONTAGE / DRIVEWAY ACCESS ON INTERIOR STREET

ENCOURAGED

DISCOURAGED

B. Utilities

The developer shall make arrangements for all distribution lines for telephone, electrical, television and other similar services distributed by wire or cable, except for feeder lines for said services, to be placed underground entirely throughout a residential subdivision area, and such conduits or cables shall be placed within private easements provided to such service companies by the developer or within

dedicated public ways, provided that after receiving a written report from the engineer, planner and Village Council, overhead lines may be permitted by the Village Council at the time of final plat approval, where it is determined by the Village Council that overhead lines will not constitute a detriment to the health, safety, general welfare, plat design and character of the subdivision. All such facilities placed in dedicated public ways shall be planned so as not to conflict with other underground utilities. All such facilities shall be constructed in accordance with standards of construction approved by the Michigan Public Service Commission. All drainage and underground utility installations which traverse privately owned property shall be protected by easements granted by the developer.

#### C. Lots

9. All lots shall face upon a public street.
10. The side lines of lots shall be approximately radial to the street upon which the lots face.
11. No lot shall be divided by a corporate boundary line. Such boundary line may be the lot line or center line of streets or alleys.
12. Lot widths, depths and area shall conform to the stipulations as set forth in the Zoning Ordinance.
13. Interior double frontage lots shall not be allowed. For lots which front onto an interior street but back onto a major street, driveway access shall be onto the interior street only.

#### D. Blocks

1. No block shall be more than one thousand (1000) feet in length. In blocks over nine hundred (900) feet in length, the Village Council may require a walkway or easement for public utilities at or near the middle of the block.
2. The number of intersecting streets along highways and major streets shall be held to a minimum, wherever practicable. Blocks along such traffic way shall not be less than one thousand three hundred twenty (1,320) feet in length.

#### E. General Requirements

1. In cases where variations and exceptions from the dimensional standards of the Village of Ovid Zoning Ordinance are deemed necessary, said variations shall be granted by the Zoning Board of Appeals subject to the procedures and standards outlined in the Village of Ovid Zoning Ordinance article entitled "Zoning Board of Appeals". Variances from standards contained in the Village of Ovid Subdivision Control Ordinance shall be granted by the Village Council.
2. Every subdivision shall have a dedicated means of ingress and egress.

### SECTION 6. IMPROVEMENTS

#### A. Installation

The minimum installation standards are as follows:

1. Streets shall meet the standards for streets adopted by the Village of Ovid.
2. Sanitary Sewer lines shall be installed for all subdivision developments. The sanitary sewer lines shall be so designed and constructed to meet the requirements of the Village Utility Ordinance, Village Infrastructure standards and the appropriate County,

State or other jurisdictional agency. The Developer shall be responsible for the installation of sewer lines to adequately serve the proposed development within the subdivision being platted and shall be responsible for any above-normal cost of materials and installation thereof necessarily encountered, as determined by the Village.

3. Water lines shall be installed for all subdivision developments. The water lines shall be so designed and constructed to meet the requirements of the Village Utility Ordinance, this Ordinance, Village Infrastructure standards and the appropriate County, State or other jurisdictional agency. The Developer shall be responsible for the installation of water to adequately serve the proposed development. Water lines shall be looped where appropriate, when it can be demonstrated that water pressure and water quality would be significantly impacted were the looping not completed.
4. Sidewalks of five (5) foot width shall be constructed along both sides of the street right-of-way, within all dedicated street and walkway rights-of-way, of which the entire construction shall be the responsibility of the Developer and at the expense of the Developer. Sidewalks shall be constructed to the standards established in the Village of Ovid Infrastructure standards.
5. Outlawns between each curb and sidewalk shall be graded and seeded, of which the entire construction shall be the responsibility of the Developer and at the expense of the Developer.
6. Culverts and bridges shall be constructed when determined to be necessary by the Village and shall be entirely the responsibility of the Developer and at the expense of the Developer. Culverts and bridges shall be constructed to the standards established by the appropriate County and/or State agency.
7. Storm sewer lines and systems (including but not limited to catch basins and man-holes) shall be entirely the responsibility of the Developer and installed at the expense of the Developer, if it is necessary to construct a detention or retention pond as part of a proposed development, it is the responsibility of the Developer to provide the property for such purposes.
8. In those instances where the Village determines that it is necessary to install water, sanitary sewer or storm sewer lines larger than those normally needed to serve the area within the limits of the subdivision being platted, the Village will assume the additional cost encountered.

#### SECTION 7. INSPECTION

Installation of all improvement shall be inspected by a qualified inspector with applicable certification if required by the Village. The inspector shall be selected by the Village Council. The Developer shall be responsible for all inspection costs.

#### SECTION 8. MONUMENTATION

- A. For every subdivision of land there shall be a survey complying with the Land Division ACT, PA 288 of 1967, as amended. The survey of all subdivisions shall be performed by a Professional surveyor registered in the State of Michigan.
- B. All monumentation shall comply with the monumentation requirements of the Land Division Act, PA 288 of 1967, as amended.
- C. If, during the process of the installation of improvements, it is necessary to remove any monuments or benchmarks, the Developer or his contractor shall obtain permission to make such removal from the person designated by Village council to provide engineering review for the proposed development. All monuments or benchmarks removed, relocated, or destroyed shall be replaced

in their proper location, by a Professional Surveyor registered in the State of Michigan, at the Developers expense.

SECTION 9. AMENDMENTS

The Council may, by ordinance, amend, supplement or change this Ordinance, provided that prior to such amendment, a public hearing is held by the Village Council after posting notice of hearing at least fifteen (15) days prior to the date of hearing, by publication in an official paper of general circulation in the Village and by certified United States mail to each public utility company and railroad company within the Village. A copy of such amendment, supplement or change shall be filed with the County Register of Deeds.

SECTION 10. PENALTIES

Any person, firm or corporation who violates any of the provisions of this Ordinance shall be fined not more than one thousand (\$1,000) dollars or imprisonment in the Clinton County jail not to exceed 180 days, or both, for the first offense and for each subsequent offense, like fine or imprisonment in the county jail not to exceed 1 year, or both.

SECTION 11. FEES

All applicable fees are to be established by resolution of Village Council.

SECTION 12. VALIDTY

Should any section, clause or provision of this Ordinance be declares by the counts to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

SECTION 13. CONFLICTING ORDINANCES

All ordinances and parts of ordinances of this Village in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 14. EFFECTIVE DATE

We the undersigned President and Clerk of the Village of Ovid hereby certify that the above ordinance was approved by the Village Council of the Village of Ovid on the \_\_\_\_\_ . This ordinance shall take effect upon publication.

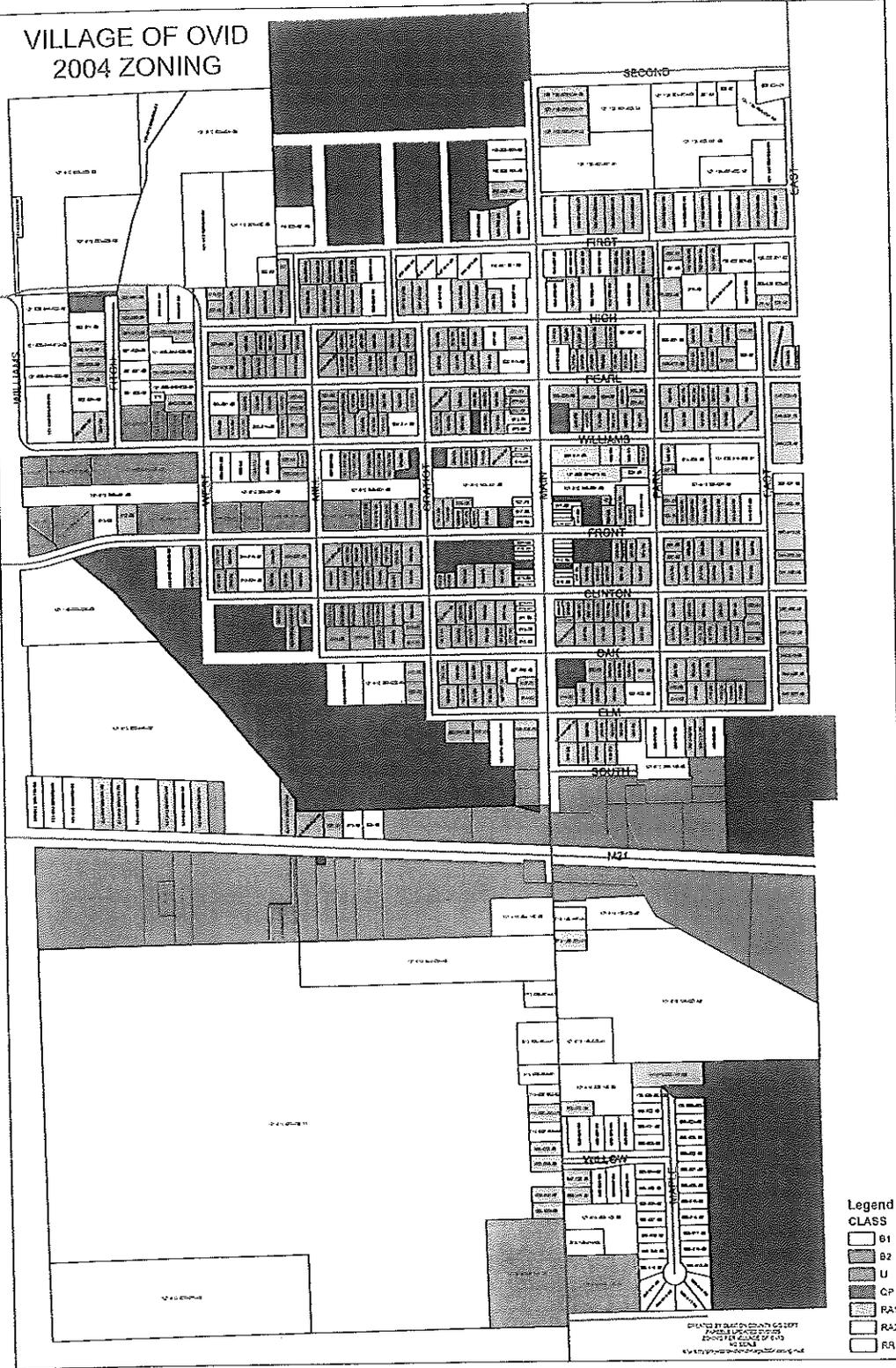
Moved by \_\_\_\_\_ . Seconded by \_\_\_\_\_

Ayes: \_\_\_\_\_ Nays: \_\_\_\_\_

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Clerk

# VILLAGE OF OVID 2004 ZONING



- Legend**
- CLASS
  - B1
  - B2
  - U
  - CP
  - RA1
  - RA2
  - RA

DESIGNED BY [unreadable] CONSULTING ENGINEERS  
 ENGINEERING OFFICE  
 100 [unreadable]  
 [unreadable]

(e) The village council shall take testimony of the zoning administrator, the owner of the property and any other interested party or witness. Upon findings of the hearing the village council may extend the time by which the violations must be corrected for a period not to exceed six months. However, the village council shall not allow such violations to exist longer than this period.

(f) If the owner or party in interest fails to appear, or neglects to correct the violation within the time period specified by the village council, the village council shall prepare a report of their findings for the village attorney recommending that the appropriate action be taken. The village attorney may then initiate prosecution proceedings.

(Ord. No. 83, § 4.04, 4-16-84)

**Secs. 19-50—19-70. Reserved.**

### ARTICLE III. BOARD OF ZONING APPEALS

**Sec. 19-71. Intent, purpose.**

The purpose of this article is to insure that the objectives of this chapter are fully and equitably achieved, that a means be provided for competent interpretation of this chapter, that flexibility be provided for in the strict application of this chapter, that the spirit of the chapter be observed, public safety secured and substantial justice done.

(Ord. No. 83, § 5.01, 4-16-84)

**Sec. 19-72. Creation, membership.**

(a) A board of zoning appeals is hereby established in accordance with Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq.), as amended. The board shall consist of five members: the chairman of the planning commission; a member of the village council appointed by the village council; and the remaining members appointed by the village council from the electors residing in the village.

(b) Members may be reappointed. An elected officer of the village shall not serve as chairperson of the board. An employee of the village may not serve as a member of the board. Members shall be appointed for three-year terms. Members of the board shall be removable by the village council for nonfeasance, malfeasance or misfeasance of office. A member shall disqualify himself from a vote in which the member has a conflict of interest. Failure to do so shall constitute misconduct in office.

(c) The village council may appoint not more than two alternate members for the same term as regular members of the board. No alternate member may be either a member of the village council or the planning commission. The alternate members may be called as needed, on a rotating basis, to sit as regular members of the board in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for the purpose

of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. An alternate member shall serve on a case until a final decision is made. The alternate member shall have the same voting rights as a regular member of the board. (Ord. No. 83, § 5.02, 4-16-84; Ord. No. 83.4, 2-15-89)

**Sec. 19-73. Organization.**

(a) *Rules of procedure.* The board of zoning appeals shall adopt rules of procedure for the conduct of its meetings and the implementation of its duties. The board shall annually elect a chairperson, a vice-chairperson and a secretary.

(b) *Meetings and quorum.* Meetings of the board of zoning appeals shall be held at the call of the chairperson and at such other times as the board in its rules of procedure may specify. A majority of the total membership of the board shall constitute a quorum. All meetings shall be open to the public.

(c) *Oaths and witnesses.* The chairperson may administer oaths and compel the attendance of any witness in order to insure a fair and proper hearing.

(d) *Records.* The minutes of all meetings shall contain the grounds for every determination made by the board including all evidence and data considered, all findings of fact and conclusions drawn by the board for every case, along with the vote of each member and the final ruling on each case. The board of zoning appeals shall file its minutes in the office of the village clerk.

(Ord. No. 83, § 5.03, 4-16-84)

**Sec. 19-74. Jurisdiction.**

The board of zoning appeals shall act upon questions as they arise in the administration of this chapter. The board shall perform its duties and exercise its powers as provided in Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq.), as amended. The board of zoning appeals shall not have the power to alter or change the zoning district classification of any property, nor make any change in the terms or intent of this chapter, but does have the power to act on those matters for which this chapter provides an administrative review, interpretation, variance or temporary use permit. Within this capacity the board of zoning appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination of the zoning administrator, planning commission or any official administering or enforcing the provisions of this chapter as set forth in section 19-75.

(Ord. No. 83, § 5.04, 4-16-84)

**Sec. 19-75. Authorized appeals.**

The board of zoning appeals shall hear the following specified categories of appeals in accordance with the following standards:

- (1) *Administrative review.* The board of zoning appeals shall hear and decide appeals where it is alleged by the appellant that there is an error in any order, requirement, permit, decision or refusal made by the zoning administrator or by any other official in administering or enforcing the provisions of this chapter.

(2) *Interpretation of chapter.* The board of appeals shall hear and decide upon requests to:

- a. Interpret the provisions of this chapter when it is alleged that certain provisions are not clear or that they could have more than one meaning. In deciding upon such request the board of zoning appeals shall insure that its interpretation is consistent with the intent and purpose of this chapter and the section in which the language in question is contained.
- b. Determine the precise location of the boundary lines between zoning districts when there is dissatisfaction with a decision made by the zoning administrator.
- c. Classify a use which is not specifically mentioned as a part of the use regulations of any zoning district so that it conforms to a comparable permitted or prohibited use, in accordance with the purpose and intent of each district. If no comparable use is found, the board of zoning appeals shall so inform the petitioner and indicate that the requested use would only be permitted if this chapter is amended to specifically include it in a particular district and pursuant to particular standards.
- d. Determine the parking space requirements of any use not specifically mentioned either by classifying it with one of the groups listed in article V, division 2, by an analysis of the specific needs. If no comparable use is found, the board of zoning appeals shall so inform the petitioner and indicate that the parking space requirements will have to be established by amendment of this chapter.

(3) *Variance.*

- a. The board of zoning appeals shall have the power to authorize specific variance from site development requirements such as lot area and width regulations, building height and bulk regulations, yard width and depth regulations, off-street parking and loading space requirements, and sign requirements of this chapter, provided that all the required findings listed below are met and the record of proceedings of the board of zoning appeals contains evidence supporting each conclusion:
  1. There are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.
  2. A genuine hardship exists because of unique circumstances or physical conditions such as narrowness, shallowness, shape or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district, and shall not be recurrent in nature.
  3. The hardship or special conditions or circumstances do not result from actions of the applicant.
  4. The variance will relate only to property under control of the applicant.

5. The variance will be in harmony with the general purpose and intent of this chapter and will not cause a substantial adverse effect upon surrounding property, property values and the use and enjoyment of property in the neighborhood or district.
  6. Granting the variance will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures or buildings in the same district.
  7. The variance requested is the minimum amount necessary to overcome the inequality inherent in the particular property or mitigate the hardship.
  8. The variance shall not permit the establishment, within a district, of any use which is not permitted by right within that zoning district, or any use for which a special use permit or a temporary use permit is required.
- b. In granting any variance, the board of zoning appeals may prescribe appropriate conditions and safeguards in conformity with this chapter. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter and shall automatically invalidate the permit.
  - c. Each variance granted under the provisions of this chapter shall become null and void unless:
    1. The construction authorized by such variance or permit has commenced within six months of granting of the variance.
    2. The occupancy of land, premises or buildings has taken place within one year after the granting of the variance.
  - d. No application for a variance which has been denied, wholly or in part, by the board of zoning appeals shall be resubmitted for a period of one year from the date of the last denial, except on the grounds of newly discovered evidence or proof of changed conditions found upon inspection by the board to be valid.

(Ord. No. 83, § 5.05, 4-16-84; Ord. No. 83.4, 2-15-89)

**Sec. 19-76. Appeal procedures.**

(a) *Notice of appeal.* Appeals to the board of zoning appeals may be made by any person aggrieved, or by an officer, or department of the village, by filing a written notice of appeal with the village clerk. Upon receipt of a notice of appeal the village clerk shall promptly transmit the records concerning the appealed action to the chairperson of the appeals board. Any appeal from the ruling of the zoning administrator concerning the enforcement of the provisions of this chapter shall be filed within ten days after the date of the zoning administrator's decision.

(b) *Hearing.* Upon receipt of a notice of appeal the chairperson of the board of zoning appeals shall fix a reasonable time and date for a public hearing not to exceed 30 days from the date of filing of the notice of appeal. Upon determination of the date and time of the public hearing, the village clerk shall notify the following persons by first class mail not less than 20 days before the public hearing:

- (1) The appellant;
- (2) The zoning administrator;
- (3) All persons to whom real property is assessed within 300 feet of the boundary of the property in question, and to the occupants of all structures within 300 feet;
- (4) The village president.

(c) *Public notice of hearing.* Where the hearing, in the opinion of the village clerk, concerns matters of general applicability in the village and does not concern only individual lots or parcels, such notice shall be given in a newspaper of general circulation in the village not more than 15 nor less than eight days before the public hearing.

(d) *Appearance.* Upon the hearing, any party may appear in person or by agent or attorney. The board may recess such hearing from time to time, and, if the time and place of the continued hearing is announced at the time of adjournment, no further notice shall be required.

(e) *Stay.* An appeal shall stay all proceedings in furtherance of the action appealed from unless the zoning administrator certifies to the board of appeals after notice of appeal has been filed with him that by reason of facts stated in the certificate a stay would, in the administrator's opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board of appeals or, on application, by a court of record.

(f) *Fee.* A fee as established by the village council shall be paid to the village clerk at the time the petitioner files an application with the board. The purpose of such fee is to cover, in part, the necessary advertisements, investigations, hearing records and other expenses incurred by the board in connection with the appeal. No fee shall be charged if the village or any official body of the village is the moving party.

(g) *Decision.* The board of zoning appeals shall render its decision within 30 days of filing of notice of appeal unless an extension of time is necessary to review new information pertinent to making the decision, and the extension is agreed upon by the appellant and a majority of the members of the appeals board present; or in the opinion of a majority of the members of the board of zoning appeals there are other extenuating circumstances which do not reasonably permit a decision within 30 days. The vote of a majority of members, appointed and serving, shall be necessary to take action on an appeal.

(h) *Bond.* In authorizing any variance, or in granting any conditional, temporary or special approval permits, the village board of appeals may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the village covering the estimated

cost of improvements associated with a project for which zoning approval is sought, be deposited with the village clerk to insure faithful completion of the improvements. The performance guarantee shall be deposited at the time of the issuance of the permit authorizing the activity or project. The board of appeals may not require the deposit of the performance guarantee before the date on which the permit is to be issued. The board of appeals shall establish procedures under which a rebate of any cash deposits in reasonable proportions to the ratio of work completed on the required improvements will be made as work progresses. (Ord. No. 83, § 5.06, 4-16-84; Ord. No. 83.4, 2-15-89)

**Sec. 19-77. Administrative variance.**

(a) *Procedure and criteria.* The zoning administrator is hereby authorized to grant administrative waivers to the provisions of this chapter in an amount not to exceed a ten-percent variation from the site development standards, parking and loading requirements, advertising structure requirements, and the specific dimensional, area, and similar provisions and requirements contained in this chapter. Up to a 20 percent variation from side yard requirements may be permitted. This authority does not extend to waiver or consideration of different land uses within a zoning district. Upon receipt of a request for an administrative waiver the zoning administrator shall prepare a report of the situation and all factual data concerning the site in terms of what the situation would be if developed pursuant to the standards stated in this chapter, what the situation would be if the administrative waiver were granted, what impacts, if any, on the public and neighboring property owners would result if the administrative waiver were granted, and the conclusion on the waiver request and the rationale for that conclusion. No administrative waiver shall be granted if doing so would create a nuisance or result in significantly more noise, odor, dust, bright or flashing lights, or similar impact on the public or abutting property. Decisions rendered by the zoning administrator shall be in the form of a letter which states specifically a determination on each of the items listed above. An appeal on any administrative waiver may be made by any affected person to the board of zoning appeals within ten days following the decision. No decision by a zoning administrator on an administrative waiver shall be effective until after this ten-day period has passed. All abutting property owners shall receive notice of any administrative waiver request and when a decision is expected to be made, prior to a determination by the zoning administrator. Abutting property owners may file a written statement on the administrative waiver request with the zoning administrator, but the decision of the zoning administrator shall be based on the standards contained in this section.

(b) *Appeals.* The decision of the zoning administrator may be appealed to the board of appeals pursuant to section 19-76.

(Ord. No. 83, § 5.08, 4-16-84; Ord. No. 83.4, 2-15-89)

**Sec. 19-78. Review by circuit court.**

Any party aggrieved by an order, determination or decision of any officer, agency, board, commission, board of appeals or the village council which has acted pursuant to the provisions of Act No. 207 of the Public Acts of Michigan of 1921 (MCL 125.581 et seq.), as amended, may

obtain a review thereof both on the facts and the law, in the circuit court of the county; provided, that application is made to the court within 30 days after the delivery of certiorari or by any other method permissible under the rules and practices of the circuit courts of this state and further provided, that all other means of local appeal and review as provided in this chapter have first been exhausted. The circuit court shall review the record and decision of the board of appeals to insure that the decision:

- (1) Complies with the constitution and laws of the state;
  - (2) Is based upon proper procedure;
  - (3) Is supported by competent material and substantial evidence on the record;
  - (4) Represents the reasonable exercise of discretion granted by the board of appeals.
- (Ord. No. 83, § 5.09, 4-16-84)

**Secs. 19-79—19-100. Reserved.**

#### ARTICLE IV. SUPPLEMENTARY REGULATIONS

**Sec. 19-101. Intent and purpose.**

The provisions in this article establish miscellaneous regulations which have not been specifically provided for in other portions of this chapter, yet are applicable to all zoning districts unless otherwise indicated.

(Ord. No. 83, § 6.01, 4-16-84)

**Sec. 19-102. Required water supply and sanitary sewerage facilities.**

Any structure for human occupancy after May 6, 1984, and used for dwelling, business, industrial, recreational, institutional, mercantile or storage purposes shall not be erected, altered, used or moved upon any premises unless the structure is provided with a potable water supply and wastewater disposal system that ensures a safe and effective means of collection, treatment and disposal of human, commercial and industrial wastes. All such installations shall comply with the requirements of the state and the county health department.

(Ord. No. 83, § 6.02, 4-16-84)

**Sec. 19-103. Grading and filling.**

In order to protect adjacent properties, public roads, public watercourses and to provide for adequate drainage of surface water, the following rules shall apply to all construction activities requiring permits pursuant to this chapter:

- (1) The final grade surface of ground areas surrounding a building or structure shall be designed and landscaped such that surface water flows away from the building or structure and is managed in a manner which avoids increased flow onto adjacent