

Village of Bellaire PLANNING COMMISSION

Commissioners:
Patrick Boyd Fred Harris Don Seman Christine Langdon Daniel Wilson

Posted: April 21, 2025 at 10:00 AM

MEETING NOTICE

The Village of Bellaire Planning Commission will be meeting on
April 29, 2025 at 5:00 PM
in the Village offices at 202 N. Bridge Street, Bellaire, MI 49615

Agenda

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Approval of Minutes- April 1st, 2025**
- V. Conflict of Interest**
- VI. Public Comment on Agenda Items**
- VII. Old Business**
 - a. Short Term Rental Draft Ordinance Review
 - b. Bylaws/Procedures Review
- VIII. New Business**
 - a. Parcel Division Application-402 E Cayuga
- IX. Correspondence/Reports**
- X. Member/Public Comment**
- XI. Adjourn**

This is a tentative agenda until finalized and approved on April 29th, 2025. The Planning Commission reserves the right to alter the agenda by a majority vote of the members present at the meeting.

Committee members: if you have any questions or cannot attend this meeting, please contact the Clerk at 231-533-8213.

Persons with disabilities needing a reasonable accommodation to effectively participate in this meeting should contact the Village Clerk at (231) 533-8213.

Village of Bellaire
PLANNING COMMISSION

Patrick Boyd Fred Harris Commissioners: Don Seman Christine Langdon Daniel Wilson

Posted: Tuesday April 8th at 11:00 AM

PLANNING COMMISSION MEETING MINUTES
April 1st, 2025
5:00 PM

- I. **Call to Order:** The meeting was called to order at 5:00 PM.
- II. **Roll Call – Attendance:**
 - Present:** Fred Harris, Christine Langdon, Patrick Boyd, Daniel Wilson
 - Absent:** Don Seman
 - Staff Present:** Angela St. Pierre, Clerk / Zoning Administrator
 - Public Present:** Andrew Turner
- III. **Approval of Agenda:** The agenda was approved as amended with the removal of new business item a. Election of Officers.

Motion by Wilson, seconded by Harris to approve the agenda as amended. Motion passed by unanimous voice vote.
- IV. **Approval of Minutes – March 4th, 2025:** The minutes of the March 4th, 2025 meeting were approved as presented.

Motion by Boyd, seconded by Wilson to approve the minutes of the March 4th, 2025 meeting as presented. Motion passed by unanimous voice vote.
- V. **Conflict of Interest:** None presented.
- VI. **Public Comment:**
 - a. Andrew Turner spoke about the bylaws and discrepancies with the ex-officio member acting as the vice-chair as it states in the bylaws that the ex-officio member cannot be chairperson. He also commented on a possible spelling error in a comment he had made at the previous meeting. He stated that it said “enraged” and believed it was to be “engaged”.
- VII. **Old Business:**
 - a. **STR Draft Ordinance Review-** The draft ordinance was provided with revisions from the previous meeting. The draft ordinance and new revisions were discussed. Members will send suggested revisions to the Clerk to provide for the next meeting.

No action was taken.
- VIII. **New Business**
 - a. ~~**Election of Officers**~~ – removed with approval of agenda.

Village of Bellaire
PLANNING COMMISSION

Commissioners:

Patrick Boyd Fred Harris Don Seman Christine Langdon Daniel Wilson

- b. **Meeting Dates-** The proposed meeting dates were reviewed. Addition of April 29, 2025 to the meeting dates for reviewing the short term rental ordinance draft.

Motion by Boyd, seconded by Harris to approve the meeting dates with the addition of April 29th. Motion passed by unanimous voice vote.

- c. **Bylaw/Procedures Review-** The bylaws were discussed and the discrepancies in ex-officio member serving as vice-chair. It was determined that research needed to be done regarding Michigan law.

Motion by Boyd, seconded by Langdon to table this item until April 29th, 2025 at 5:00 pm. Motion passed by unanimous voice vote.

- IX. **Correspondence/Reports:** Clerk St. Pierre reported that there are two possible land divisions to consider if the applicants submit all the proper paperwork.
- X. **Member/Public Comment:** None presented.
- XI. **Adjourn:** The meeting was adjourned at 5:34 PM to the call of the vice-chair.

Minutes compiled by:
Angela St. Pierre, Zoning Administrator

Minutes are subject to approval.

Approved: _____

Date: _____

Modified 4-2-25
Chrissy edits
Daniel edits
Angela notes

Village of Bellaire

Short Term Rental Zoning and Licensing Ordinance

Ordinance No. _____

AN ORDINANCE PURSUANT TO ACT 359 OF THE PUBLIC ACTS OF 1947, AS AMENDED, TO PROVIDE FOR THE PUBLIC PEACE AND HEALTH AND FOR THE SAFETY OF PERSONS AND PROPERTY IN THE VILLAGE OF BELLAIRE BY THE LICENSING AND REGULATION OF SHORT TERM RENTALS, TO PROVIDE PROCEDURES FOR THE SUSPENSION AND REVOCATION OF SHORT TERM RENTAL LICENSES, TO PROVIDE PENALTIES FOR VIOLATIONS OF THE ORDINANCE, AND PROVIDE A ZONING OVERLAY MAP FOR ALLOWANCES FOR SHORT TERM RENTAL BUSINESSES.

THE VILLAGE OF BELLAIRE ORDAINS:

Section 1: Purpose

This ordinance is intended to protect and promote the health, safety, and welfare of all the citizens of the Village of Bellaire as well as those visiting the area by requiring the licensing of short-term rentals within the Village. Short term rentals are determined to be a business, and existing and modified zoning ordinances and any subsequent amendments will apply and be upheld when applying for a short-term rental license. It is also the intent of this ordinance to preserve and maintain the residential communities within the Village, such that short-term rentals do not change the residential character of the neighborhoods within the Village.

~~This ordinance limits the number of short term rental licenses allowed within the Village, preserving the majority of the housing stock for owner occupied residential use as well as the number of licenses issued per individual, or LLC, thereby preserving the majority of the housing stock for owner occupied residential use, while providing short term rentals for families visiting the area either as tourists or for business purposes, which also provides income to license holders to maintain and preserve the licensed short-term rental home.~~

Section 2: Applicability

The ordinance applies to all residential dwelling units in the Village of Bellaire and the owners of those dwellings wherein the dwelling is rented for a period ~~for~~ of less than thirty (30) days at a time during a calendar year, and where the owner does not reside ~~during the rental period~~.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

Section 3: Definitions

Bedroom: A separate room with a door, closet, and window that is used or intended to be used specifically for sleeping purposes, has a minimum horizontal distance in any direction of seven feet (7'), and not a room by design intended to serve another purpose such as a kitchen, dining area, den, family rooms, or living rooms.

Dwelling unit: A group of rooms located within a building and forming a single habitable unit with facilities which are used or are intended to be used for living, sleeping, sanitation, cooking, and eating purposes. A dwelling unit shall not include an owner-occupied bed and breakfast, hotel, or motel where other lodging facilities as those terms are either defined and/or regulated under the Village of Bellaire Zoning Ordinance.

License Holder: The owner who applies for and receives a short-term rental license from the Village of Bellaire.

Local Contact Person: A local property manager, owner, agent of the owner, who is available to respond to the Village, tenant and neighborhood questions or concerns, and authorized by the owner to take remedial action and respond to any violation of this Ordinance.

Maximum Occupancy: The maximum number of allowable occupants and the guests of those occupants for a short-term rental, as established in Section 6.E. of this Ordinance.

Occupant: As used in this Ordinance, is an occupant or renter of a short-term rental pursuant to a rental agreement. The term "occupant" as used herein does not include guests of the occupant or renter who are visiting outside quiet hours.

Owner: Any person holding legal or equitable title to a property or to real improvements upon a property solely, jointly, by the entireties, in common, or as a land contract vendee. Person means an individual, firm, corporation, association, partnership, limited liability company, trust or other legal entity.

Short Term Rental: A single-family dwelling unit, or portions thereof, that is ~~available and licensed~~ and used for accommodations or lodging of guests, paying a fee or other compensation, for a period of less than thirty (30) days at a time when the owner of the single-family dwelling unit does not reside in the dwelling unit during the rental period. Single family dwelling units used and licensed as a short-term rental shall not be considered a motel as defined by the Village of Bellaire Zoning Ordinance.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

Special Events: In association with a short-term rental, a wedding, outdoor party, family reunion, or similar gathering that exceeds the maximum number of occupants allowed under the short-term rental license.

Transfer of Property: A transfer of any type from a person to another person as defined under MCL 211.27a(6)(a)-(j), being part of Public Act 206 of 1893, as amended.

Section 4: License Required

An owner of any dwelling located within the Village of Bellaire shall not rent, or allow to be rented, a dwelling unit to another person for less than 30 days at a time, unless the owner has obtained a short term rental license for that dwelling unit in accordance with the requirements of this Ordinance.

Section 5: Application for Short Term Rental License

- A. Responsibility. It shall be the responsibility of the owner of a short term rental to apply for a license through the submission of a short term rental license application. The application shall be on a form prepared by the Village's Clerk/Zoning Administrator. (Add - Limit one license per owner(separate paragraph addressing one license)).
- B. Application form. A person seeking a license under this ordinance shall submit a complete application, certified as being true, to the Village Clerk/Zoning Administrator. Electronic submissions shall not be accepted. The application shall include all of the information specified on the short term rental application form and any other information deemed reasonably necessary by the Village Clerk/Zoning Administrator to determine whether the short term rental standards and regulations under this Ordinance have been met. (Add - LLC's must list the name, address and phone number of the individual representing the LLC). Under definitions, limited liability company (LLC) is defined as "persons" under "owner"
- C. Application fee. An application shall be accompanied by an application fee as established and set forth in the Village fee schedule. This fee schedule may also establish an "after the fact" fee that must be paid when an otherwise lawful short term rental is operated but without first complying with the procedural requirements of this Ordinance. This "after the fact" fee is not intended to be a penalty but shall consist of the normal application fee plus an amount equal to the legal and administrative costs incurred by the Village as the result of the applicant's failure to initially comply with the requirements of this Ordinance. The provision for an "after the fact" fee does not waive the Village's right to otherwise enforce this Ordinance when a violation of this Ordinance occurs. (Add - The recommended fee amount is \$350 per year). This will be set by resolution in the fee schedule, do not add into ordinance.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

- D. Complete application. Applications shall be reviewed in the order in which they were received by the Village (hard copy). Receipt of an application by a Village employee or designee does not mean an application is considered complete. If an applicant submits an incomplete application, they are not guaranteed a license. A short term rental application shall not be considered accepted or complete until the Village of Bellaire's Clerk/ Zoning Administrator and/or Board designee deems it to be complete. Furthermore, if the applicant fails to provide all the information required by this Ordinance and/or fails to pay the required fee, then the application shall be deemed incomplete and may be denied by the Village Clerk/Zoning Administrator on that basis.
- E. License. Once deemed to be complete, if an application complies with all the standards and regulations of this Ordinance and a license is available, the Village Clerk/Zoning Administrator shall approve the short term rental license by December 31 when applied for during the October renewal period and initial licensing for 202_ or within thirty (30) calendar days when outside of the normal re-application window. All short term rental licenses issued under this Ordinance shall be sequentially numbered.

Section 6: Short Term Rental Standards and Regulations

In recognition of the unique nature of short term rentals, the following standards and regulations shall apply to all short term rentals in the Village of Bellaire. These standards and regulations, however, shall not supersede deed restrictions on any property (including subdivision developments), and shall not supersede any provisions of the master deed and/or bylaws of a condominium development which contain provisions that are more stringent and restrictive of short term rentals than those contained in this Ordinance.

- A. ~~**Parking-** Parking for all vehicles, including trailers, shall only be in parking spaces identified on the site plan included with the application for a short term rental license. No on-street parking shall be permitted in association with a short term rental. Parking shall comply with the requirements set forth in the Village of Bellaire Zoning Ordinance. Omit section 6.a~~
- B. ~~**Trash-** Refuse and recyclables shall be stored in appropriate containers with tight fitting lids and shall be regularly picked up by a licensed waste hauler. Omit section 6.b~~
- C. ~~**Special Events-** Special events as defined by this Ordinance shall not be allowed. Omit section 6.c~~
- D. **Quiet Hours-** Short term rentals shall observe quiet hours between 10:00 pm and 8:00 am Sunday through Thursday and between 11:00 pm and 8:00 am Friday, Saturday, and Federal Holidays. Noise during quiet hours must be limited to that which does not disturb the quiet, comfort or repose of a reasonable person of normal sensitivities. Chapter 62-2-b codebook: "No person between the hours of 10:00 p.m. and 7:00 a.m. the following day shall operate or permit another person to operate an amplified sound system from any real property within the Village that is clearly audible by an individual of ordinary hearing ability at a distance of 25 feet from the boundaries of the property on which the amplified sound system is being operated."

- E. **Capacity Limit-** The occupancy for all short term rentals shall be no more than two (2) occupants per bedroom excluding children under the age of 5 with a maximum occupancy, including children under the age of five, of 10 occupants. At no time, shall additional individuals be allowed to sleep outside of the dwelling unit. (Change to - Standard Fire Safety Codes and Health Department requirements for Single Family Homes must be maintained). Change to (The capacity of the rental unit shall be established by the owner in consideration of the number of beds, bedrooms, and bathrooms in order to comfortably and safely accommodate guests and adhere to standard Health Department and Fire Safety Codes and Requirements. This capacity shall be clearly stated in all marketing of the short term rental unit and this information shall be included in the Application for Licensure)

- F. ~~Guests-~~ Guests up to the number equal to the capacity limit of the short term rental may be allowed only during non-quiet hours listed above. Omit section 6.f

- G. **Contact-** The owner, or designated caretaker, of the short term rental shall be available by telephone at all times and must be physically located within 30-miles of the property in the event of an emergency or issue that requires immediate attention. This information shall be updated by the license holder immediately if it changes.

- H. **Signs-** A sign indicating the address of the property that is visible from the road shall be required to obtain a license. ~~No additional signage of any kind is permitted.~~

- I. **Fire Safety-** Short term rentals shall be required to maintain operating smoke detectors, carbon monoxide detectors, and fire extinguishers. Evacuation routes shall be posted in a conspicuous location in each bedroom as well as the main gathering space in the house. ~~is this something we want to monitor?~~

- J. **Village and County Ordinances, State and Federal Laws-** Short term rentals shall comply with all requirements of the Village of Bellaire Zoning Ordinance as well as all other Ordinances adopted by the Village of Bellaire, as well as State, County and Federal laws.

- K. **Ability to Occupy-** Short term rentals shall have a certificate of occupancy or other documentation showing that the rental is fit for human habitation. ~~is this something we want to monitor? Rental sites usually require this themselves.~~

- L. **Rules and regulations to be provided to occupants-** The license holder or local agent shall provide all occupants of a short term rental with the following information prior to occupancy, and shall post such information in a conspicuous place within each short term rental:
 - (1) The name of the license holder or local agent responsible to perform obligations related to the short term rental under this Ordinance, ~~that individual's~~ including telephone number(s), and an email address at which that individual may be reached on a twenty four (24)-hour basis.

 - (2) ~~Notification of the~~ The maximum number of overnight occupants permitted in the short term rental.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

(3) Copies of the current Antrim County Animal Control Ordinance, and any subsequent amendments. ~~as amended from time to time.~~

(4) A copy of this ordinance, and any subsequent amendments. ~~as it may be amended from time to time.~~

M. **Pets-** Pets shall be secured on the premises or on a leash at all times. Dogs shall not be allowed to whine, yelp, bark, or howl for a period of ten (10) minutes or longer, as per the Antrim County Animal Control Ordinance as amended. Chapter 70-2-p codebook: ~~The following are hereby declared to be nuisances: P The keeping or maintaining of dog or other animal so as to allow or permit such dog or other animal to be upon any public street, alley or other public place, unless led by a leash, not greater than six (6) foot. [Added 5-3-2006 by Ord. No. 1-2006]~~

N. **No Prior suspensions or revocations** - The owner of property seeking a license for a short term rental under this Ordinance shall not have been the owner of any property within the Village for which a short term rental license has been suspended or revoked by the Village within five (5) years from the date of such suspension or revocation.

Section 7: General Provisions Applicable to Licensees

A. A short term rental license shall be valid from the date of issuance until December 31st of each calendar year.

B. Licenses are not transferable. When a short term rental property is transferred as provided under MCL 211.27a (6)(a)-(j), the license will expire upon the transfer of the property. A short term rental property, however, shall not be deemed transferred if it is not a transfer of ownership as provided in ~~MCL 211.27a (7)(a)-(x). Licenses will revert to the Village after they expire and upon the transfer of~~ the short term rental property if there is no short term rental use of the property for twelve (12) consecutive months from the expiration of the license or property transfer. In addition, licenses will revert to the Village after being revoked by the Village pursuant to the requirements of this Ordinance. Any license that reverts to the Village shall be made available to new applicants based upon those waiting to apply for a license subject to Section 8, Limitations of Number of Licenses, and Section 9, Issuance of License, under this Ordinance.

C. The owner must obtain a license prior to advertising the property as a short term rental. Current license holders may advertise for the future licensing cycle, but this shall not obligate the Village to issue a license.

D. The license number shall be clearly displayed in any advertisement and documents of the short term rental.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

- E. New licenses applied for outside of the license renewal period may be issued throughout the calendar year if licenses are available.
- F. A short term rental license is a privilege, not a property right, and is only held pursuant to and subject to the requirements of this Ordinance.

Section 8: Limitations on Number of Licenses

The Village hereby authorizes the number of short term rental licenses to be issued at any one time within the Village as established from time to time by resolution of the Village Council. ~~Number will be set by resolution, do not put number in ordinance.~~

Section 9: Issuance of License

Upon the effective date of this Ordinance, applications may be obtained for short term rental licenses for the year 202_. Completed applications will be received until _____ for the first year that licenses are available. Licenses will be issued on a first come, first served basis determined by the date received and determined complete. Should the application be determined to not be complete, the applicant shall have ~~48 hours~~ two business days to correct the incompleteness. If they fail to do so the application shall be determined to be incomplete and a new application must be submitted. Should the Village receive more ~~completed applications than licenses available this first year, completed applications received during this~~ time will be subject to the limited number of licenses under Section 8 of this Ordinance. All complete applications received after _____, will be issued licenses, if available, based on the received date of a completed application by the Village. Should no licenses be available, these applicants will be placed on a wait list until a license becomes available. An annual fee may be required to remain on the waitlist.

All short term rental licenses shall expire on December 31 of the following calendar year or upon the transfer of a licensed property. A short term rental license shall also expire upon revocation as provided under Section 9A, Suspension and Revocation of License. The owner of the short term rental shall re-apply for the next calendar year at any point between October 1 and October 31. ~~Violations and Administrative Penalties~~ All licenses, if eligible, will be issued by December 31 when re-applied for by October 31. Any owner that does not submit a renewal application by October 31 will be required to file a new application and will be placed on the wait list should licenses not be available.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

Section 9A: Suspension and Revocation of License

- A. Public Hearing notice. If the Village Office of Planning & Zoning (planning commission?) has reason to believe the application material on which a license was issued contained false, incorrect, or misleading information and/or statements; that the short term rental no longer complies with the standards for approval of a new license; and/or the short term rental is in violation of the regulations in this Ordinance, and enforcement under Section 10 of this Ordinance is determined by the Village Office of Planning & Zoning to be ineffective, the Village Office of Planning & Zoning will prepare a written public hearing notice requesting the suspension or revocation of the short term rental license.
- B. Service of notice. The written notice, along with the time, date, and place of the hearing before the Village Council, shall be served on the license holder either personally, or by registered mail confirming delivery to the license holder's address as well as via email if an email address is available, no less than twenty-one (21) calendar days before the hearing.
- C. Hearing to suspend or revoke a license. If such a notice to suspend or revoke a license is prepared and served by the Village Office of Planning & Zoning, the Village Council shall hold a hearing at which time the license holder shall be given an opportunity to show cause why the short term rental license issued under this Ordinance should not be suspended or revoked. At the hearing before the Village Council the license holder shall be given an opportunity to confront adverse witnesses, if any, and present evidence and legal arguments. The license holder may also be represented by an attorney. The Village Council's decision shall be in writing and shall specify the factual evidence upon which it is based. A copy of the Village Council's written decision shall then be provided to the license holder. The Michigan Rules of Evidence do not apply to this hearing or decision made by the Village Council. This hearing is independent of any enforcement action which the Village may take under Section 10 of this Ordinance.
- D. Subsequent violations. After a short term rental license has been suspended, any additional violation(s) committed by the license holder within two (2) years of the expiration of the last suspension shall be grounds for a second suspension. If it has been more than two (2) years since the expiration of an initial suspension of a short term rental license, a subsequent violation shall be deemed to be a first suspension. Upon a determination that the short term rental license holder has committed a total of three (3) or more violations of this Ordinance within five (5) years, the Village Council may permanently revoke the short term rental license.

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

E. Length and timing of suspensions and/or revocations. Suspensions and revocations shall generally be effective immediately. Suspensions/revocations shall be for the following periods:

- (1) First suspension - three (3) months.
- (2) Second suspension - six (6) months.
- (3) Revocation - permanent.

F. Existing contracts. Existing short- term rental contracts up to thirty (30) nights beyond the beginning date of any suspension/revocation may be honored by the license holder with written approval by the Village Council. Any such approval shall be included in the Council's suspension/revocation decision. Those existing contracts beyond thirty (30) nights shall be canceled. The time period approved to honor existing contracts shall be added to the end of any suspension period.

G. Fraudulent complaints. Any person who knowingly files a fraudulent, false, or fictitious complaint about a short term rental shall be deemed to be in violation of this Ordinance and may be subject to court enforcement proceedings and the penalties under Section 10 of this Ordinance.

Section 10: Violations and Administrative Penalties

A. Any of the following conduct is a violation of this Ordinance:

1. Any advertising or leasing of a short term rental without first obtaining a short term rental license.
2. The owner has failed to comply with any provisions, standards, or conditions contained in this Ordinance or any other ordinance of the Village, Antrim County, and/or State and/or Federal law.
3. Any false or misleading information provided in the application process.
4. Any person who knowingly files a fraudulent, false, or fictitious complaint about a short term rental shall be deemed to be in violation of this ordinance and may be subject to court enforcement proceedings and the penalties under this Ordinance.

B. The penalties for violations specified in subsection (A) above are as follows:

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

1. This ordinance shall be enforced by any individual or individuals designated by the Village Council. In addition to written violation notices, the Village will attempt to notify the violator or the violator's authorized agent via telephone of the violation as soon as possible.
 2. Any person who violates any provision of this Ordinance, including operating ~~an STR~~ a short term rental without a license, or continues to operate a short term rental after the license for that short term rental has been suspended or revoked as provided in this Ordinance, shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars, plus costs of prosecution up to Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.
- C. A violation of this ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.
- D. In addition to enforcing this ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this ordinance.

Section 11: Severability

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, ~~said declaration shall not affect the validity of the remainder of the~~ Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 12: Effective Date

This Ordinance shall become effective the day following its publication by the Village per MCL66.1 being part of the General Law Village Act, Act 3 of 1898 as amended.

Ordinance No. _____ was adopted on _____, by the Village of Bellaire Village Council as follows:

Motion by:

Modified 4-2-25

Chrissy edits

Daniel edits

Angela notes

Seconded by:

Yeas:

Nays:

Absent:

Angela St. Pierre, Clerk

Dan Bennett, Village President

I certify that this is a true copy of Ordinance No. _____ that was adopted at a meeting of the Village of Bellaire Village Council on _____ and published in the Antrim Review on _____.

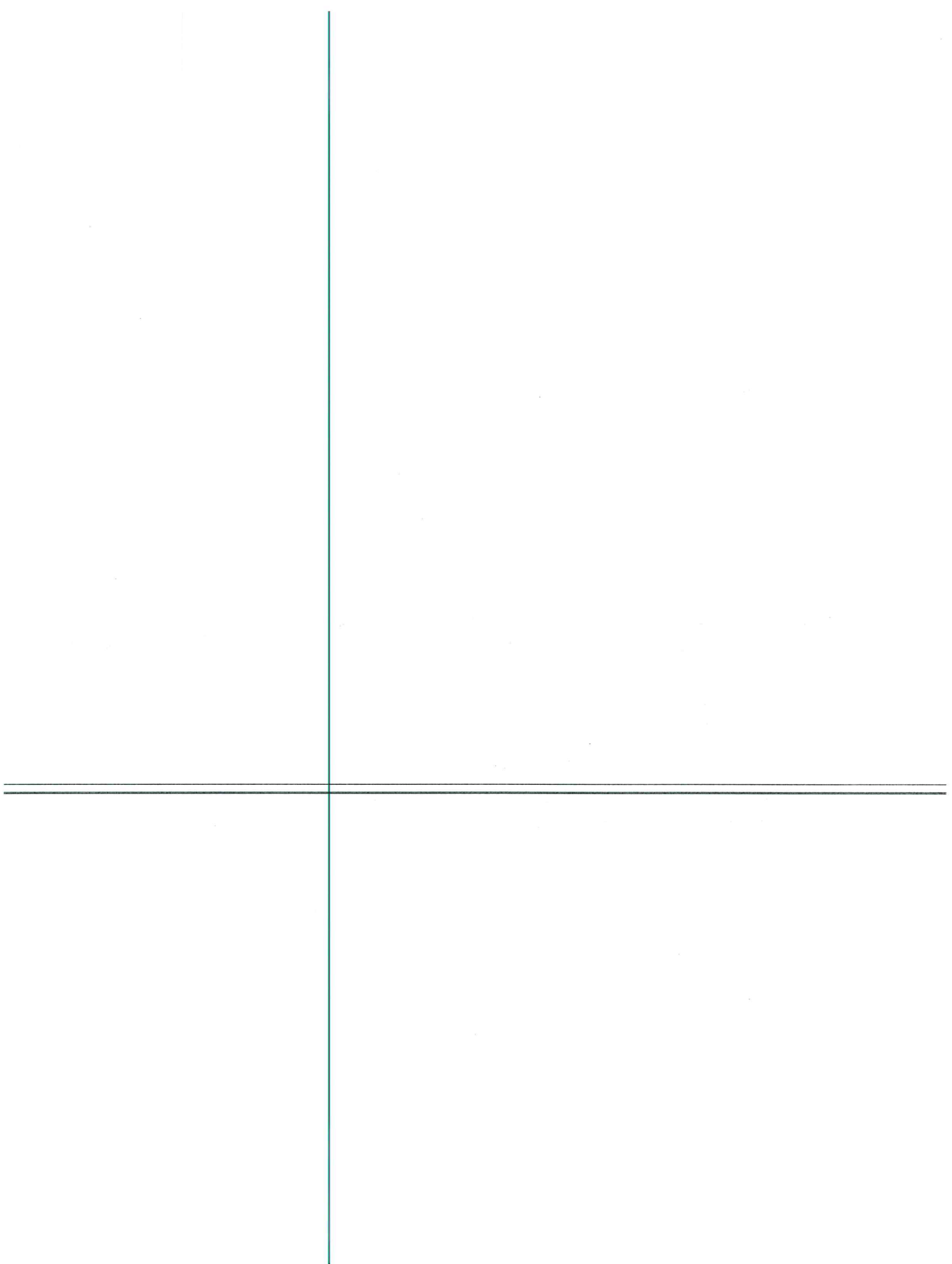
Dated: _____

Angela St. Pierre
Clerk, Village of Bellaire

******Edited redraft of Ordinance prepared by Peter Wendling by Planning Commission Board Member, Christine Langdon******

Add somewhere: It has to be disclosed if the STR is within 1000 feet of a school or public park.

Add somewhere: The application for STR license should include information on the owner's established capacity and how the STR unit is being marketed (website, VRBO, AirBnB, etc.) for verification purposes.



Village of Bellaire

202 N. Bridge St.
P.O. Box 557
Bellaire, MI 49615

Phone: (231) 533-8213
vlgbellaire@bellairemichigan.com

Fax: (231) 533-4183
www.bellairemichigan.com

PARCEL DIVISION APPLICATION

Approval of a division is NOT a determination that the resulting parcels comply with other ordinances or regulations.

Approval of a division of land is required before it is sold when a new parcel is less than 40 acres.

This form is designed to comply with Sec. 108 and 109 of the Michigan Land Division Act (formerly the Subdivision Control Act, P.A. 288 of 1967 as amended, particularly by P.A. 591 of 1996 and P.A. 87 of 1997; MCL 560.101 et. seq; MSA 26.430 et. seq.).

For Office Use Only:

Total Fee: \$250 Check #: 1132 Date Received: 4/7/05
Approval Date: _____ Denial Date: _____
Reasons for denial: _____ see attached
Signature: _____

1. **LOCATION OF PARENT PARCEL** to be split (street address): 402 E. Cayuga St.
PARENT PARCEL TAX IDENTIFICATION NUMBER: 05-41-175-506-01
PARENT PARCEL LEGAL DESCRIPTION (describe or attach):
Lot 5, Blk 1, Plat of Allcott's Add

2. **PROPERTY OWNER INFORMATION:**

Name: Melissa Fischer Address: 402 E. Cayuga St. Bellaire, MI.
Phone: (231) 495-1435 melissa-fischer36@yahoo.com

3. **PROPOSED DIVISION(S) TO INCLUDE THE FOLLOWING:**

- A. Number of new parcels 1
B. Intended use (residential, commercial, etc.) Multi-Use (Res)
C. Each proposed parcel, if 10 acres or less, has a depth to width ratio of 4 to 1 or _____ to _____ as provided by ordinance. 70 ft
+ D. Each parcel has a width 2100 ft (not less than required by ordinance) 10,553 sq ft
+ E. Each parcel has an area of _____ (not less than required by ordinance) 31,207 sq ft
F. Each parcel is provided ingress/egress as follows: (check one)
a. ☒ Each new division has frontage on an existing public road. Road name: E. Cayuga St.
na b. _____ Each new division has frontage on a new public road. Proposed road name: _____
na c. _____ Each new division has frontage on a new private road. Proposed road name: _____
na d. _____ Other ingress/egress easement: _____

4. **FUTURE DIVISIONS** being transferred from the parent parcel to another parcel. Indicate number transferred (see section 109(2) of the Act. Make sure your deed includes both statements as required in 109(3) and (4) of the Act.)

5. **DEVELOPMENT SITE LIMITS** (check each which represent a condition which exists on the parent parcel):

- na ☐ Waterfront property (river, lake, pond, etc.) ☐ Includes wetlands
☐ Is within a flood plain ☐ Includes a beach
☐ Is on muck soils or soils known to have severe limitations for on-site sewage system.

6. **ATTACHMENTS** - All of the following attachments **MUST** be included. Letter each attachment as shown:

- ☐ A. Proof of ownership. Deed / Title
- ☐ B. Names and address of all persons having an interest and the types of interest each holds.
Melissa Hirsch, 402 E. Campy
- ☐ C. Brief statement as to the purpose and use of the proposed division. To facilitate the sale of property - two distinct parts.
- na ☐ D. The history of the prior divisions of the parent parcel from which the applicant's parcel or tract of land came and proof that the applicant holds the right to divide the parcel or tract of land proposed.
- ☐ E. A survey map for the proposed division(s) of the parent parcel showing:
- (1) current boundaries (as of March 31, 1997);
 - (2) all previous divisions made after March 31, 1997 (indicate when made or none);
 - (3) the proposed division(s);
 - (4) dimensions of the parent parcel and each resulting parcel;
 - (5) existing and proposed road/easement right-of-way(s) for public utilities and ingress/egress, and
 - (6) easements for public utilities from each parcel that is a development site to existing public utility facilities;
 - (7) any existing improvements (buildings, wells, septic system, driveway, etc.), and the distances between these structures and the original and resulting property lines; and
 - (8) any of the features checked in question number 5, above.

☒ F. Map showing the location of the parent parcel within the Village of Bellaire.

na ☐ G. Legal descriptions of the parent parcel and each resulting parcel certified by a land surveyor licensed by the State of Michigan. See Tax File.

na ☐ H. Provide documentation that a proposed easement provides vehicular access to an existing road or street and meets applicable location standards.

na ☐ I. A copy of any reserved division rights (section 109(4) of the Act) in the parent parcel.

☐ J. Such other documentation that the Zoning Administrator may require relating to the application.

7. **IMPROVEMENTS** - Describe any existing improvements (buildings, well, septic, driveways, etc.) that are on the parent parcel or indicate none. House, Garage on 1 parcel

Bar n on the other parcel.

8. **AFFIDAVIT** and permission for municipal, county, and state officials to enter the property for inspections:

I agree the statements made above are true, and if found not to be true this application and any approval will be void. Further, I agree to comply with conditions and regulations provided with this parent parcel division. Further, I agree to give permission for officials of the municipality, county and the State of Michigan to enter the property where this parcel division is proposed for purposes of inspection. Finally, I understand this is only a parcel division which conveys certain rights under the control act P.A. 288 of 1967, as amended, particularly by P.A. 591 of 1996 and P.A. 87 of 1997; MCL 560.101 et. seq.; MSA 26.430 et. seq.) and does not include any representation or conveyance of rights in any other statute, zoning ordinance, deed restrictions or other property rights.

Finally, even if this division is approved, I understand local ordinances and state Acts change from time to time, and if change the divisions made herein comply with the new requirements (apply for division approval again) unless deeds representing the approved divisions are recorded with the Register of Deeds and the Division is built upon before the changes to laws are made.

Property Owner's Signature

Melissa Fischer Date: 3/27/25

You **MUST** answer all questions and include all attachments, or this will be returned to you.
Return this application to:

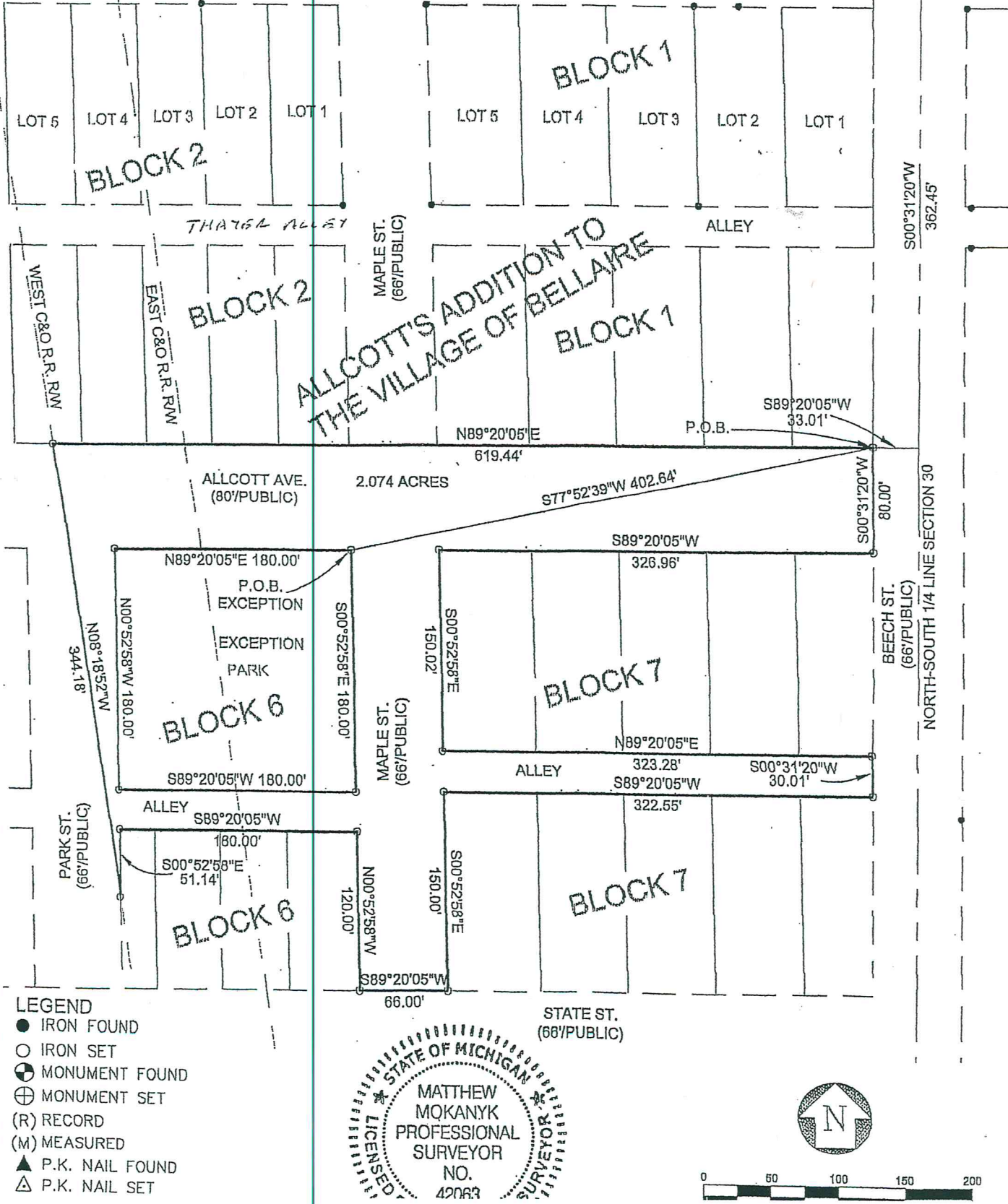
Zoning Administrator
Village of Bellaire
P.O. Box 557
202 N. Bridge Street
Bellaire, MI
49615

CERTIFICATE OF SURVEY

SECTION 30, TOWN 30 NORTH, RANGE 7 WEST, KEARNEY TOWNSHIP,
ANTRIM COUNTY, MICHIGAN

NORTH 1/4 COR.
SEC. 30
T30N, R7W

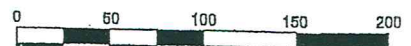
P.O.C.



Allcott

LEGEND

- IRON FOUND
- IRON SET
- ⊙ MONUMENT FOUND
- ⊕ MONUMENT SET
- (R) RECORD
- (M) MEASURED
- ▲ P.K. NAIL FOUND
- △ P.K. NAIL SET



laire Family
alth C 051400

054-00

055-00

Maple

047-00

046-10

044-00

043-00

022-00

E Cayuga St

88

88

E Cayuga St

Bellaire Area

025-10
Senior
Citizen's
Center

008-00

①

005-00

004-00

003-00

001-00

002-00

003-0

025-00

007-10

②

Thayer Ln

006-01

007-15

007-25

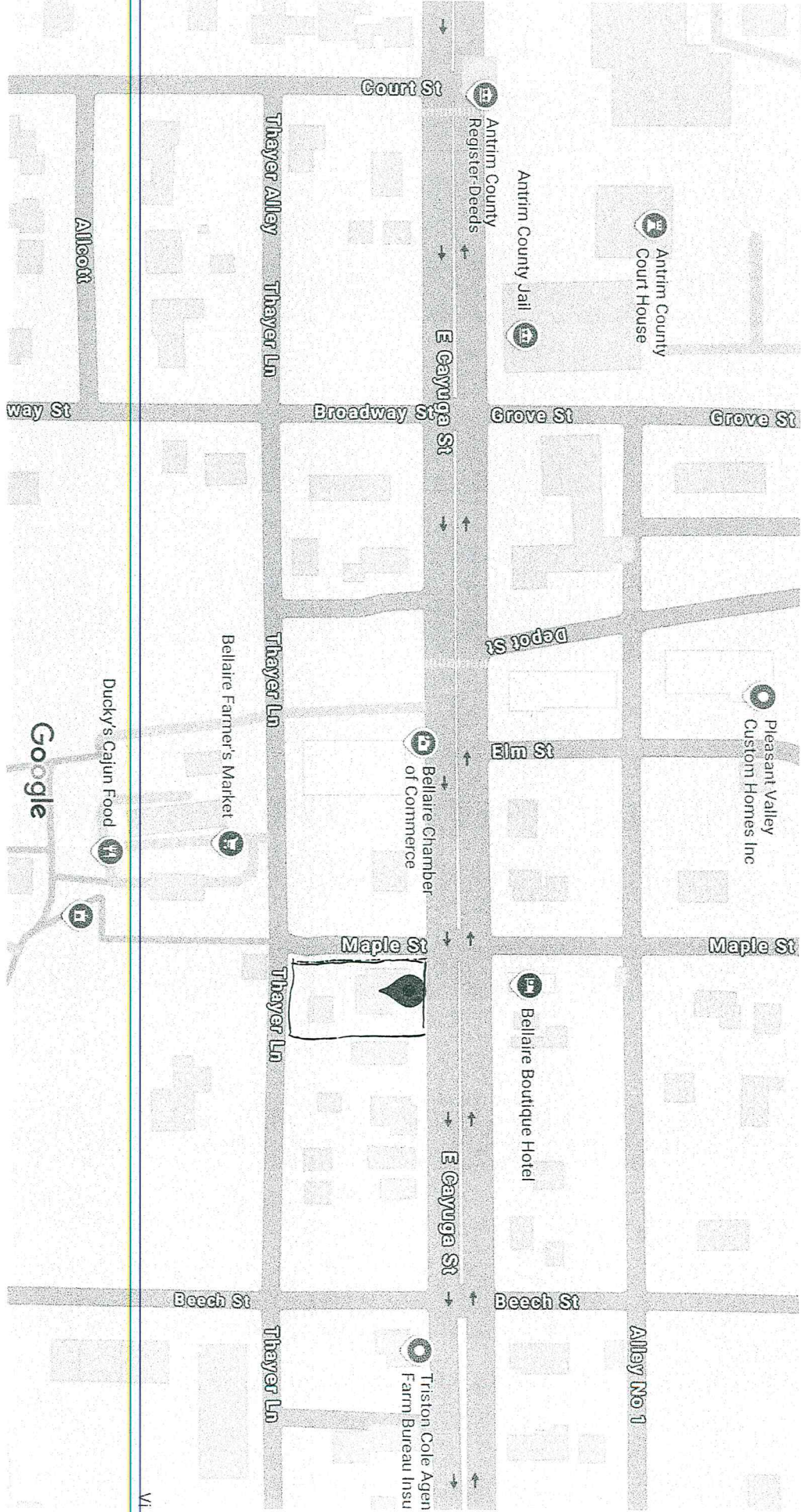
007-20

S Beech St

Thayer Ln

010-00

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NDEAS, NLS, OS, NMA, Geodast



402 E CAYUGA BELLAIRE, MI 49615 (Property Address)

Parcel Number: 05-41-175-006-01

Property Owner: FISCHER MELISSA A

Summary Information

- > Assessed Value: \$178,700 | Taxable Value: \$80,182
- > 4 Building Department records found
- > Property Tax information found

Owner and Taxpayer Information

Owner	FISCHER MELISSA A P O BOX 522 BELLAIRE, MI 49615	Taxpayer	SEE OWNER INFORMATION
-------	--	----------	-----------------------

★ Legal Description

LOT 5; BLK 1; PLAT OF ALLCOTT'S ADD; ALSO COM AT THE SW COR OF LOT 5; BLK 1; TH S 01 DEG W 30 FT ALG E R/W OF MAPLE ST TO POB; TH N 89 DEG E 99.68 FT ALG S R/W OF AN ALLEY; TH S 00 DEG E 314.38 FT TO N R/W OF FORMER EJ&S RR; TH WLY 154.06 FT ALG RR R/W & THE ARC OF A CIRCULAR CURVE TO THE N; RAD=515.00 FT; TH N 00 DEG W 87.92 FT; TH N 89 DEG E 33.17 FT; TH N 00 DEG W 150.02 FT TO THE POB; BEING PART OF BLK 1; VACATED ALLCOTT ST & BLK 7; PLAT OF ALLCOTT'S ADD TO VILL OF BELLAIRE

Other Information

Recalculate amounts using a different Payment Date

You can change your anticipated payment date in order to recalculate amounts due as of the specified date for this property.

Enter a Payment Date

3/19/2025

Recalculate

Tax History

Year	Season	Total Amount	Total Paid	Last Paid	Total Due
2023	Winter	\$564.43	\$564.43	02/01/2024	Not Available
2023	Summer	\$1,234.85	\$1,234.85	09/12/2023	Not Available
2023	Village	\$1,179.85	\$1,179.85	09/12/2023	Not Available
2022	Winter	\$523.74	\$523.74	02/02/2023	Not Available
2022	Summer	\$1,255.11	\$1,255.11	09/13/2022	Not Available
2022	Village	\$1,123.67	\$1,123.67	09/14/2022	Not Available
2021	Winter	\$522.17	\$522.17	02/10/2022	Not Available
2021	Summer	\$1,139.17	\$1,139.17	09/07/2021	Not Available
2021	Village	\$1,098.85	\$1,098.85	09/07/2021	Not Available
2020	Winter	\$446.84	\$446.84	02/02/2021	Not Available
2020	Summer	\$1,198.94	\$1,198.94	09/10/2020	Not Available
2020	Village	\$1,083.68	\$1,083.68	09/11/2020	Not Available
Load More Years					

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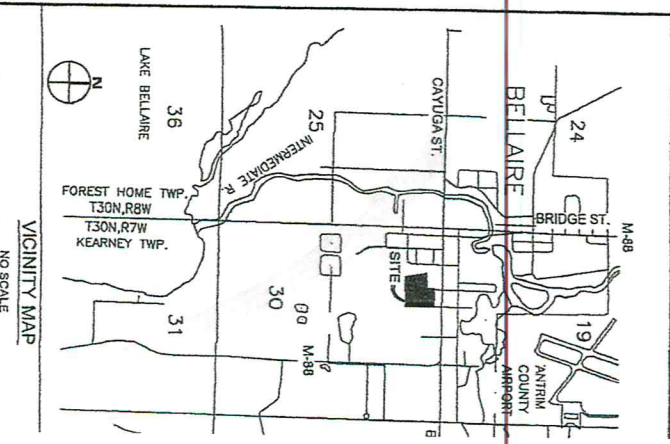
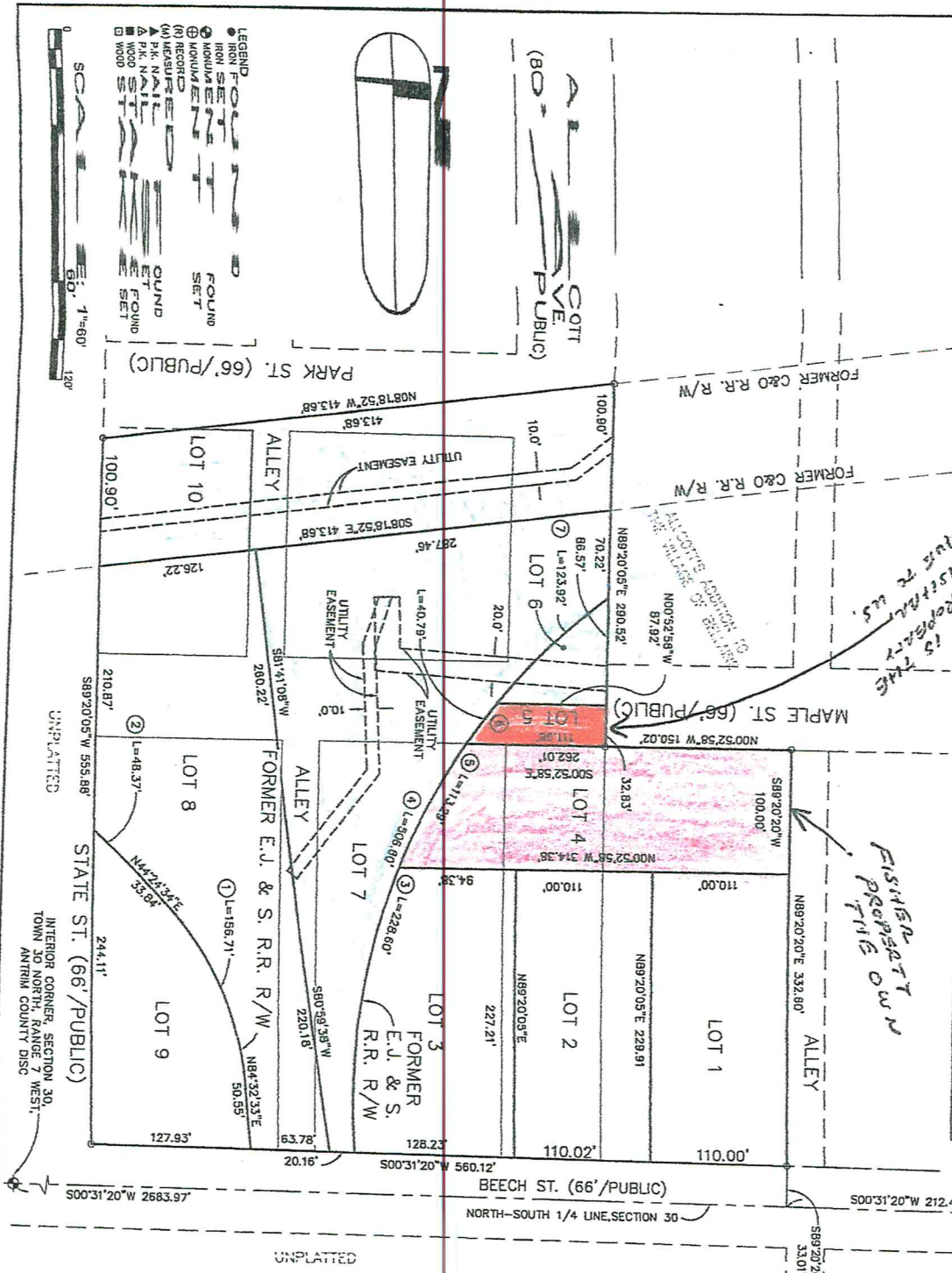
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AMENDED PLAT OF LOTS 6-12, BLOCK 1, BLOCK 6 AND THE VACATED PORTIONS OF MAPLE STREET, PARK STREET AVENUE AND THE UNNAMED ALLEY LOCATED IN BLOCK 6 AND BLOCK 7 OF ALLCOTT'S ADDITION TO THE VILLAGE OF BELLAIRE PART OF THE NORTHWEST 1/4 OF SECTION 30, TOWN 30 NORTH, RANGE 7 WEST, KEARNEY TOWNSHIP, ANTRIM COUNTY, N

CURVE TABLE				
CURVE	LENGTH	RADIUS	CENTRAL ANGLE	CHORD BEARING
1	156.71	223.73	40°07'59"	N64°28'34"E
2	48.37	748.14	3°42'17"	S42°33'26"E
3	228.60	815.00	25°29'57"	S62°06'12"E
4	608.60	615.00	66°21'38"	N63°32'14"W
5	119.28	615.00	12°38'14"	S63°00'07"E
6	40.78	615.00	4°32'10"	N51°28'24"W
7	123.82	615.00	13°47'11"	N45°20'09"W

NORTH 1/4 CORNER, SECTION 30, TOWN 30 NORTH, RANGE 7 WEST, L.C.R.C., L.002, P.1 ANTRIM COUNTY REMON, MONUMENT IN MONUMENT BOX

LEGEND
ALL DIMENSIONS ARE IN FEET.
ALL CURVILINEAR DISTANCES ARE ARC LENGTHS.
LOT CORNERS HAVE BEEN MARKED WITH 1/2" DIAMETER STEEL BAR CAPS/42003.
CONCRETE MONUMENTS HAVE BEEN PLACED AT ALL POINTS MARKED ARE 1/2" DIAMETER STEEL BAR 36" LONG ENCASED IN 4" DIAMETER CONCRETE MONUMENTS HAVE BEEN FOUND AT ALL POINTS MARKED (R) = RADIAL LINE. LINES NOT MARKED ARE NON-RADIAL.
BEARINGS ARE BASED UPON A CERTIFICATE OF SURVEY NO. 085021 PROFESSIONAL SURVEYING AND ENGINEERING AND DESCRIBED AS EX RESOLUTION NO. 18 OF 2009.



5-50

Northern Michigan Title Co.

STATUTORY FORM
NM-51734-LW

of Antrim-Charlevoix

Pine River Building
P.O. Box 175
Charlevoix, MI 49720-0175

Drafted by: BARRON & GOLSKI, P.L.C.
HARRY K. GOLSKI, ATTY.
P.O. Box 309, Charlevoix, MI 49720

PHONE: (231) 547-4449
FAX: (231) 547-7040

KNOW ALL MEN BY THESE PRESENTS: That **KEITH H. FISCHER** and **JOAN D. FISCHER**, husband and wife, Grantors, whose address is **8600 BELLAIRE HIGHWAY, BELLAIRE, MI 49615**, Convey and warrant to **DAVID W. FISCHER** and **MELISSA A. FISCHER**, husband and wife, Grantees, whose address is **10995 NEWMAN ROAD, BRIGHTON, MI 48114**, the following described premises situated in the **VILLAGE** of **BELLAIRE**, County of **ANTRIM**, State of Michigan, to wit:

Lot 5, Block 1, ALLCOTT'S ADDITION TO THE VILLAGE OF BELLAIRE, as recorded in Liber 1 of Plats, Page 12, Antrim County Records.
AND ALSO: PARCEL A, described as: Commencing at the Southwest corner of Lot 5, Block 1 said plat; thence South 01°13' West 30.00 feet along the east right-of-way of Maple Street to the point of beginning; thence North 89°58'36" East 100.00 feet along the south right-of-way of an alley; thence South 01°13' West 307.39 feet, parallel with the east right-of-way of Maple Street to the north right-of-way of the abandoned E.J. & S. Railroad; thence westerly 113.36 feet along said north right-of-way of said railroad and the arc of a circular curve concave to the north, radius = 515.05 feet, central angle = 12°36'37" to the east right-of-way of Maple Street; thence North 01°13' East 252.37 feet, along the east right-of-way of Maple Street to the point of beginning; being a part of Block 1, the vacated Allcott Street and Block 7 all in Allcott's Addition the Village of Bellaire. 05 41 175 006 00

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located within the vicinity of farmland or a farm operation. Generally accepted agricultural and management practices which may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan right to farm act."

for the full consideration of **One Hundred Fifty-Five Thousand and 00/100 (\$155,000.00) DOLLARS**

Subject to: Easements, restrictions and reservations of record, if any, and any acts or omissions by others than the Grantor herein from or after the 4th day of October, 2002, being the date of a certain Land Contract executed between the parties herein pursuant to which this deed is being given in complete fulfillment thereof.

Dated this 4th day of October, 2002.
Witnesses:

Signed and Sealed

KEITH H. FISCHER (L.S.)


JOAN D. FISCHER

STATE OF MICHIGAN)

County of **ANTRIM**) ss.
CHARLEVOIX)

The foregoing instrument was acknowledged before me this 4th day of October, 2002, by **KEITH H. FISCHER** and **JOAN D. FISCHER**, husband and wife.

My Commission Expires: 7/17/03
Send tax bills and return to GRANTEES


LYNETTE H. WEBB
Notary Public, **CHARLEVOIX** County, Michigan

133310

R
4
B

STATE OF
MICHIGAN
Dept of Taxation
Antrim County
78853 12/31/02



REAL ESTATE
TRANSFER TAX
\$170.50-C
\$1,162.50-S
#10531

★
★
★
★
★
★

CERTIFICATION 12/31/02 SKD

I hereby certify that according to our records all taxes returned to this office are paid for five years preceding the date to this instrument. This does not include taxes in the process of collection.

Liber 00642 Page 0236

PATTY NIEPOTH

Antrim County
Register of Deeds

12/31/02 10:48:22

Recorded