



Memorandum

To: Planning Commission
From: Elizabeth J Corwin, PE, AICP; Planning Director
Date: November 7, 2024
Re: PLU 24-0039
Nonnie's Best Food Truck
3365 W Highland Rd
PIN 11-30-200-017

For your consideration, applicant Wendy Hiebert proposes a temporary land use permit to allow her to operate the Nonnie's Best food truck at 3365 W. Highland Road, aka Authentic Kitchen & Design owned and operated by Matt Whelan. The truck has operated out of an adjacent vacant lot for the last six months under a temporary land use permit. The vacant site is ineligible for further permits during this calendar year due to its status as an undeveloped site. The applicant has appeared previously before the Planning Commission to request ordinance changes that would allow greater latitude in the issuance of temporary permits.

The application has very few details of the operation. The applicant submitted an aerial photograph illustrating her proposed placement of the trailer and a floor plan of the trailer. Staff pulled the survey of the site submitted in 2017 as part of a sketch plan approval of a barn at the rear of the site to provide a clearer context of the property lines. We also pulled the documentation from a previous variance request for the site signage.

The property line is about 12 or 13 feet south of the sidewalk that crosses the site. The power pole on the site is the most recognizable landmark you could use to get a sense of the location of the right-of-way, as well as the north edge of the signage. This leaves about a nine foot wide grassy strip between the right-of-way line and the back of concrete curbing. This grassy strip is supposed to be the required landscape buffer and should be planted with three or four street trees.

The area proposed by the applicant seems infeasible when one compares it to the size of the concession trailer, especially given the fact that the grassed area is bounded by curbs. The grassy area is approximately 35 feet by 9 feet, whereas the concession trailer measures 37 foot by 9 foot (including the hitch) The Township cannot approve use of the right-of-way.

Warm inside. Great outdoors.



If a more appropriate location can be identified on this site, there are also details that should be included in the conditions of any permit that might be approved. These include hours of operation, trash management, sound and lighting consideration, any seating that might be provided, parking for customers, and other pertinent factors that concern you regarding the appropriateness of the temporary land use at this site. The applicant has requested that this permit run for the remainder of 2024.

Although I understand the desire of the applicant to remain near the site where customers have come to expect the truck to be parked, I believe the Planning Commission has been clear in its message that an undeveloped site is not appropriate for long term use in this manner. For the coming year, the applicant should be encouraged to work with the property owner to properly plan and improve the site adjacent to 3365 W. Highland Road or identify a different site with the proper access and infrastructure to manage the traffic to and from the food truck.



NEW BUSINESS
REGISTRATION
LAND USE PERMIT
APPLICATION

PARCEL ID # 11-30-200-017 PARCEL ZONING _____

BUSINESS NAME: Nonnie's Best BUSINESS PHONE: 248-515-5233

BUSINESS ADDRESS: P.O. Box 249, Highland, MI 48357 3365 W. Highland

HOURS OF OPERATION: 7am - 2pm SQUARE FOOTAGE: _____

PLEASE DESCRIBE YOUR BUSINESS OPERATIONS IN DETAIL: _____

Food Concession Trailer Nov 1 to Dec 31, 2024

ANY HAZARDOUS MATERIALS: no

BUSINESS OWNER'S NAME: Wendy Hiebert PHONE: 406-520-4902

ADDRESS: 893 N. Hickory Ridge Rd., Highland, MI 48357

BUSINESS OWNER'S E-MAIL ADDRESS: Lebrard@msn.com

PROPERTY OWNER'S NAME: Matt + Lisa Whelan PHONE: 248-529-3001

ADDRESS: 3365 W. Highland Rd.

PROPERTY OWNER'S E-MAIL ADDRESS: mattw@mjwhelan.com

A SCALED DRAWING OF INTERIOR FLOOR PLAN MUST BE INCLUDED

EMERGENCY CONTACTS: (BREAK IN, FIRE, BUILDING PROBLEMS)	
CONTACT # 1: <u>Wendy Hiebert</u>	
PHONE: <u>248-515-5233</u>	CELL: <u>406-520-4902</u>
CONTACT # 2: <u>Tim Hiebert</u>	
PHONE: <u>248-342-2164</u>	CELL: <u>406-599-4502</u>

I HEARBY CERTIFY THAT THE ABOVE INFORMATION IS CORRECT TO THE BEST OF MY KNOWLEDGE. I FULLY UNDERSTAND THE BUSINESS REQUIRMENTS OF THE CHARTER TOWNSHIP OF HIGHLAND. I FURTHER UNDERSTAND THAT IF ANY CHANGES OCCUR FROM THOSE LISTED OR REQUIRED BY THE TOWNSHIP, INCLUDING BUT NOT LIMITED TO STORAGE OF COMBUSIBLE MATERIALS, CHANGES IN NATURE OF THE BUSINESS, CHANGES OF OWNERSHIP, EMERGENCY CONTACT INFORMATION, AND ETC...I MUST NOTIFY THE CHARTER TOWNSHIP OF HIGHLAND IN WRITING WITHIN (10) BUSINESS DAY OF SAID CHANGES. THE APPLICANT IS THE ONLY PERSON AUTHORIZED TO MAKE CHANGES TO THIS APPLICATION.

Wendy S. Hiebert
BUSINESS OWNERS/ APPLICANT SIGNATURE

10-31-24
DATE SIGNED

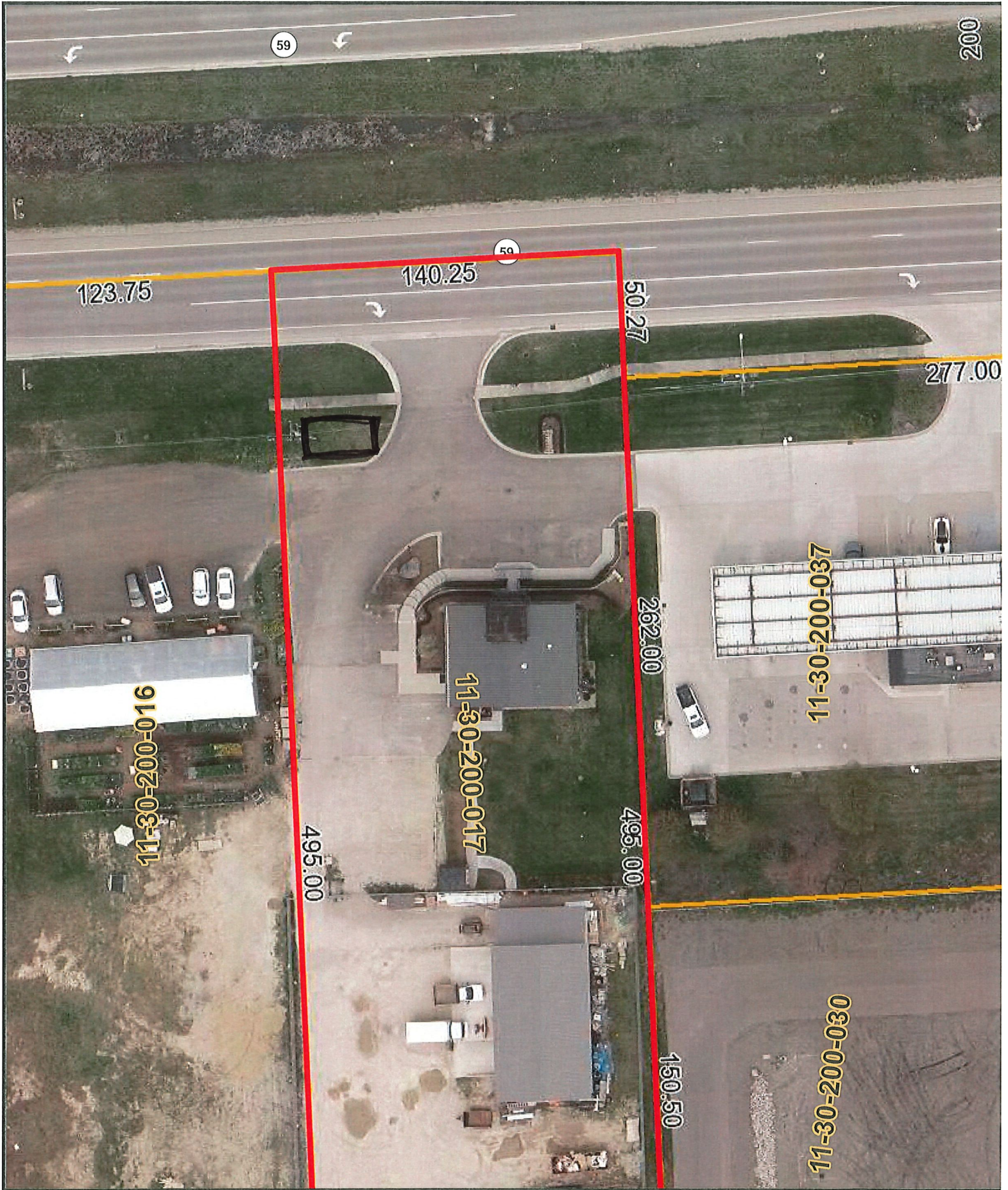
Wendy S. Hiebert
PRINT NAME

RECEIVED
OCT 31 2024
HIGHLAND TWP

Zoning _____ Building _____ Fire Marshal _____ Assessor _____ Treasurer _____ Clerk _____ Supervisor _____ DDA Director _____

Land Use Permit # PLU24-0039 Date Issued _____

3365 W Highland Rd



- 2 Foot Contours
- 5 Foot Contours
- FEMA Base Flood Elevations
- FEMA Cross Sections
- 100 yr - FEMA Floodplain
- 100 yr (detailed) - FEMA Floodplain
- 500 yr - FEMA Floodplain
- FLOODWAY - FEMA Floodplain

Disclaimer: The information provided herewith has been compiled from recorded deeds, plats, tax maps, surveys and other public records. It is not a legally recorded map or survey and is not intended to be used as one. Users should consult the information sources mentioned above when questions arise. FEMA Floodplain data may not always be present on the map.

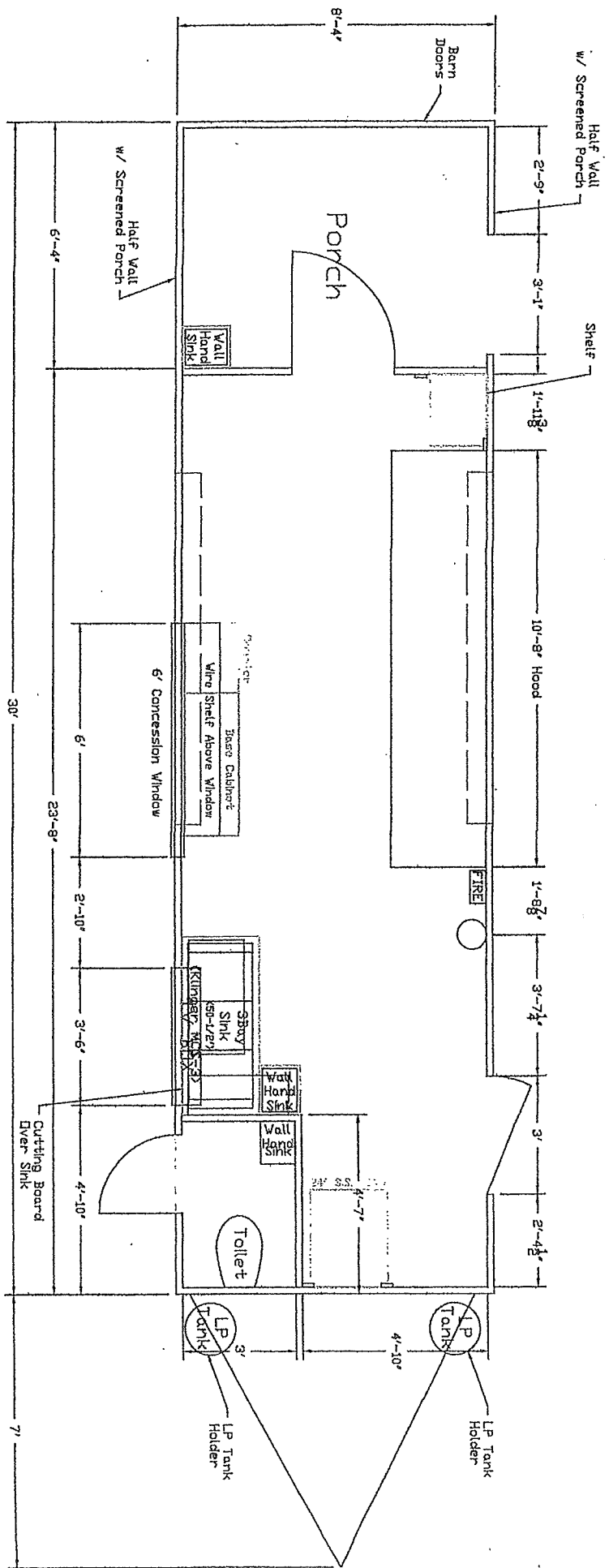


David Coulter
Oakland County Executive

Date Created: 10/31/2022



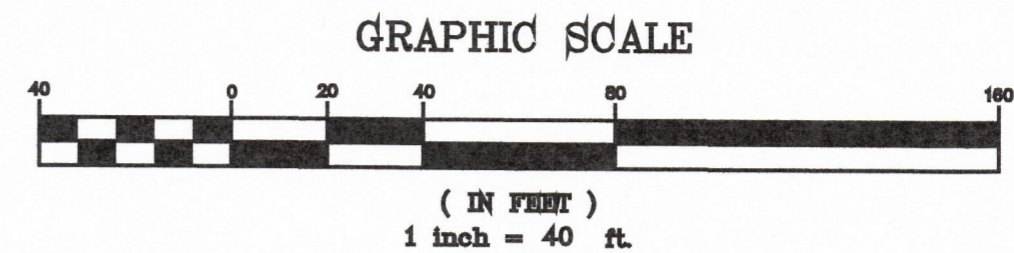
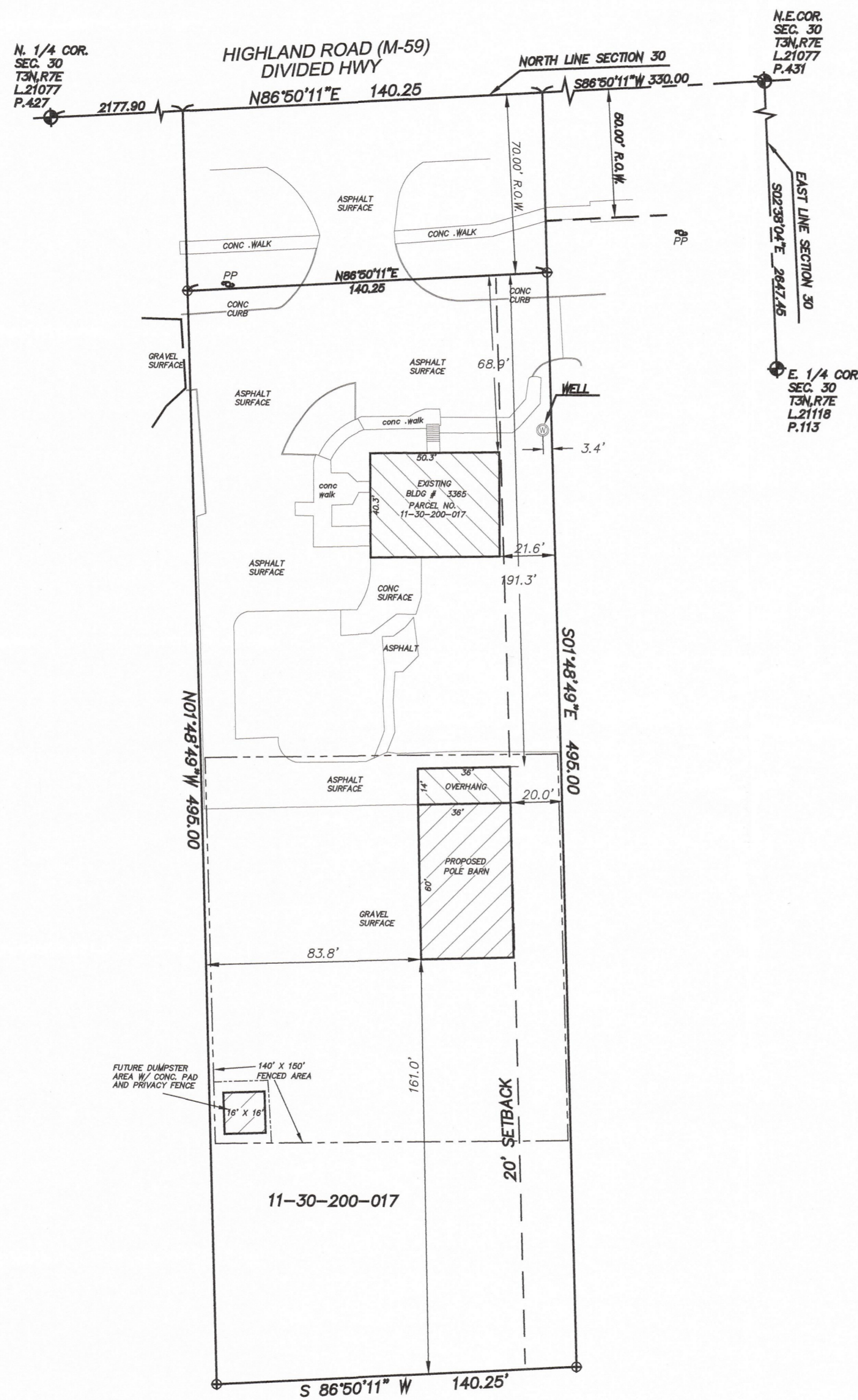
Concession Trailer



Signature _____
 Date _____

THIS DOCUMENT CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION THAT CANNOT BE REPRODUCED OR USED IN ANY MANNER FOR WHICH IT WAS NOT INTENDED, IN WHOLE OR IN PART, WITHOUT WRITTEN AUTHORIZATION FROM H&R SPECIALTY TRAILERS AND TRUCKS INC.

DOCUMENTS FROM PREVIOUS FILES



PROPERTY DESCRIPTION PARCEL #11 30 200 017

PART OF THE N.E. 1/4 SECTION 30 T.3N.,R.7E., HIGHLAND TOWNSHIP, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS BEGINNING AT A POINT LOCATED ON THE NORTH LINE OF SECTION 30 S86°50'11"W 330.00 FEET FROM THE N.E. CORNER OF SECTION 30; THENCE S01'48'49"E 495.00 FEET; THENCE S86°50'11"W 140.25 FEET; THENCE N01'48'49"W 495.00 FEET TO THE NORTH LINE OF SECTION 30; THENCE ALONG THE LINE OF SECTION 30 N86°50'11"E 140.25 FEET TO THE POINT OF BEGINNING CONTAINING, 1.59 ACRES AND SUBJECT TO A 70.00 FOOT RIGHT OF WAY AS NOTED ON PAGE 257 MICHIGAN HIGHWAY RIGHT OF WAY MAP DATED 6-06-2017.

THE ABOVE PARCEL FORMERLY DESCRIBED AS

PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWN 3 NORTH, RANGE 7 EAST, TOWNSHIP OF HIGHLAND, OAKLAND COUNTY, MICHIGAN, DESCRIBED AS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30; THENCE DUE WEST 330.00 FEET ALONG THE NORTH SECTION LINE OF SAID SECTION 30 TO THE POINT OF BEGINNING; THENCE S01'21'00"W 495.00 FEET; THENCE DUE WEST 140.25 FEET; THENCE N01'21'00"E 495.00 FEET; THENCE DUE EAST 140.25 FEET ALONG THE NORTH SECTION LINE OF SAID SECTION 30 TO THE POINT OF BEGINNING.

BEARINGS BASED ON NAD 83 CORS 2011 SPC MI. SOUTH ZONE

Consulting Engineers • Land Surveyors
8615 Richardson Rd., Commerce Twp., MI. 48390
Phone (248) 363-2650 Fax (248) 363-1646



Drawn: JCK
Designed:
Checked:

SITE PLAN

3365 HIGHLAND ROAD
HIGHLAND TWP., OAKLAND COUNTY, MI.

Scale:
1" = 40'

Date:
7/16/2017

Job No.:
10537

Sht. No.:

1 OF 1



Memorandum

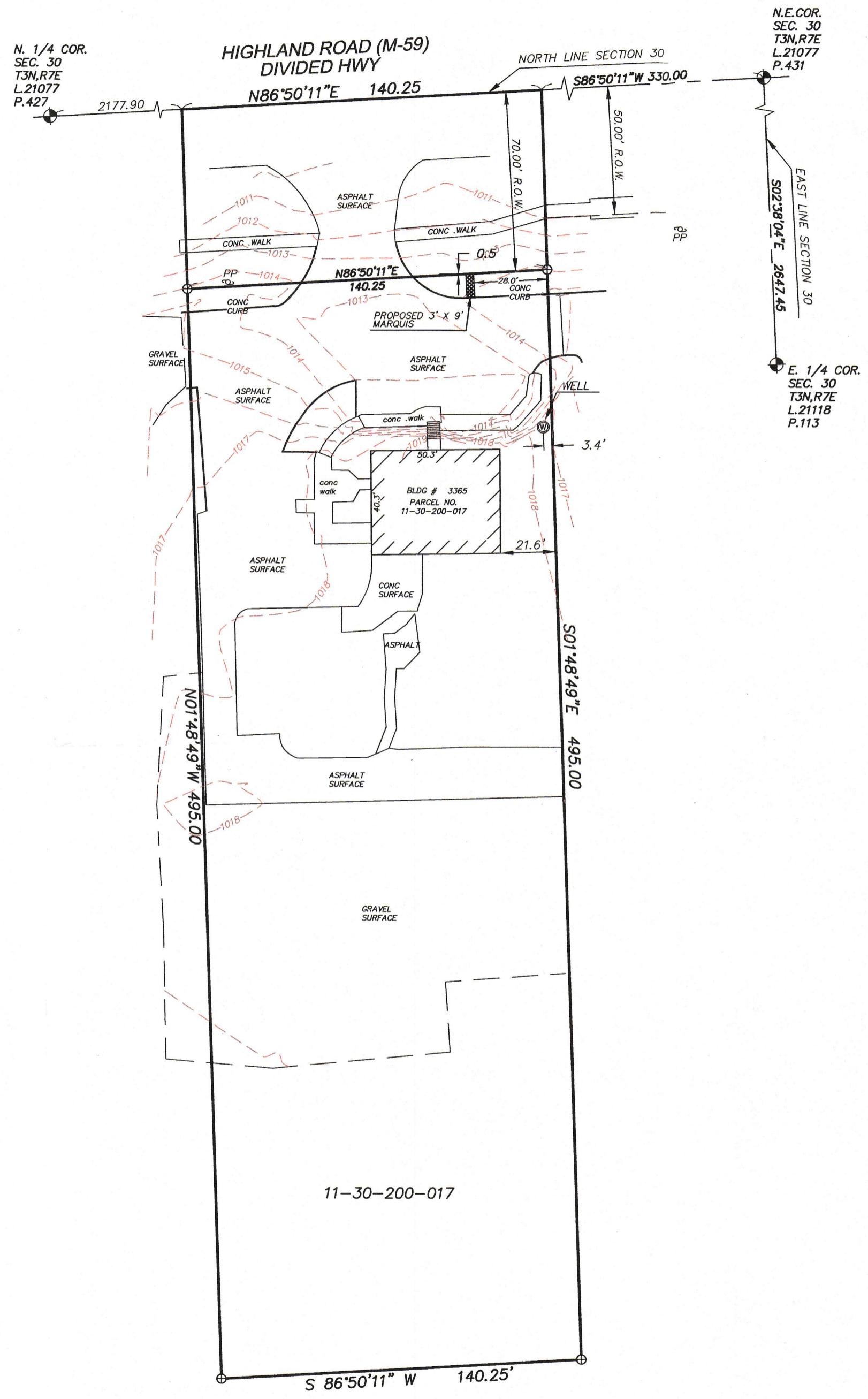
To: Zoning Board of Appeals Member
From: Elizabeth J. Corwin, PE, AICP Planning Director
Date: October 4, 2019
Re: Case 19-26
11-30-200-017
3365 W Highland Road
Variance is for a sign

The case before you involves placement of a new sign at the site of the recently remodeled kitchen design center for MJ Whelan. The site was previously developed in 1980 as the outlet for a boat dealer, and has since housed other uses such as pool sales and used auto sales. Over the years there has been some confusion over the M-59 right-of-way limits, as this site has a deeper right-of-way than its neighbors. The sign from the previous business was actually located in the right-of-way.

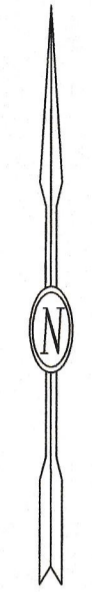
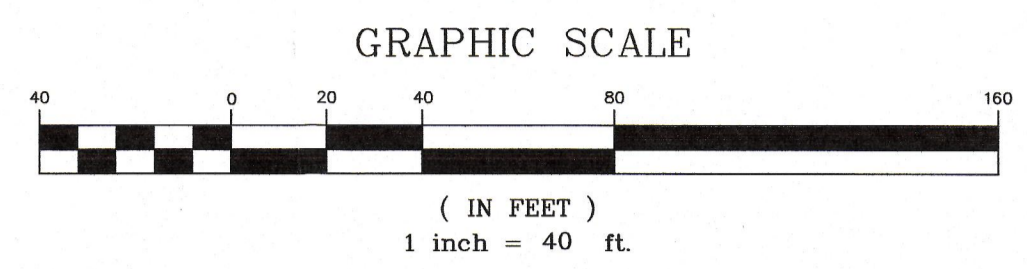
The site was approved for redevelopment as the kitchen center in 2017. As part of the site plan review, the Planning Commission acknowledged the issues surrounding right-of-way, but left the resolution to be determined during the permitting process. The site plan does require the continued provision of the marginal access drive, which is set only about 10 feet south of the right-of-way line.

The applicant has submitted a plot plan, and sign plans

Staff has provided an aerial photo, excerpts from the zoning map, and copies from the assessing record. Note that the aerial photograph from the County's GIS system seems to indicate a 30 foot half width ROW, which is incorrect. The 60 foot half width ROW has been confirmed with MDOT.

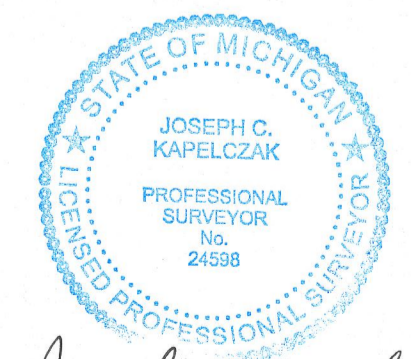


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Joseph C. Kapelczak

Consulting Engineers • Land Surveyors
 8615 Richardson Rd., Commerce Twp., MI. 48390
 Phone (248) 363-2550 Fax (248) 363-1646



Drawn: JCK
 Designed:
 Checked:

MARQUIS

3365 HIGHLAND ROAD
 HIGHLAND TWP., OAKLAND COUNTY, MI.

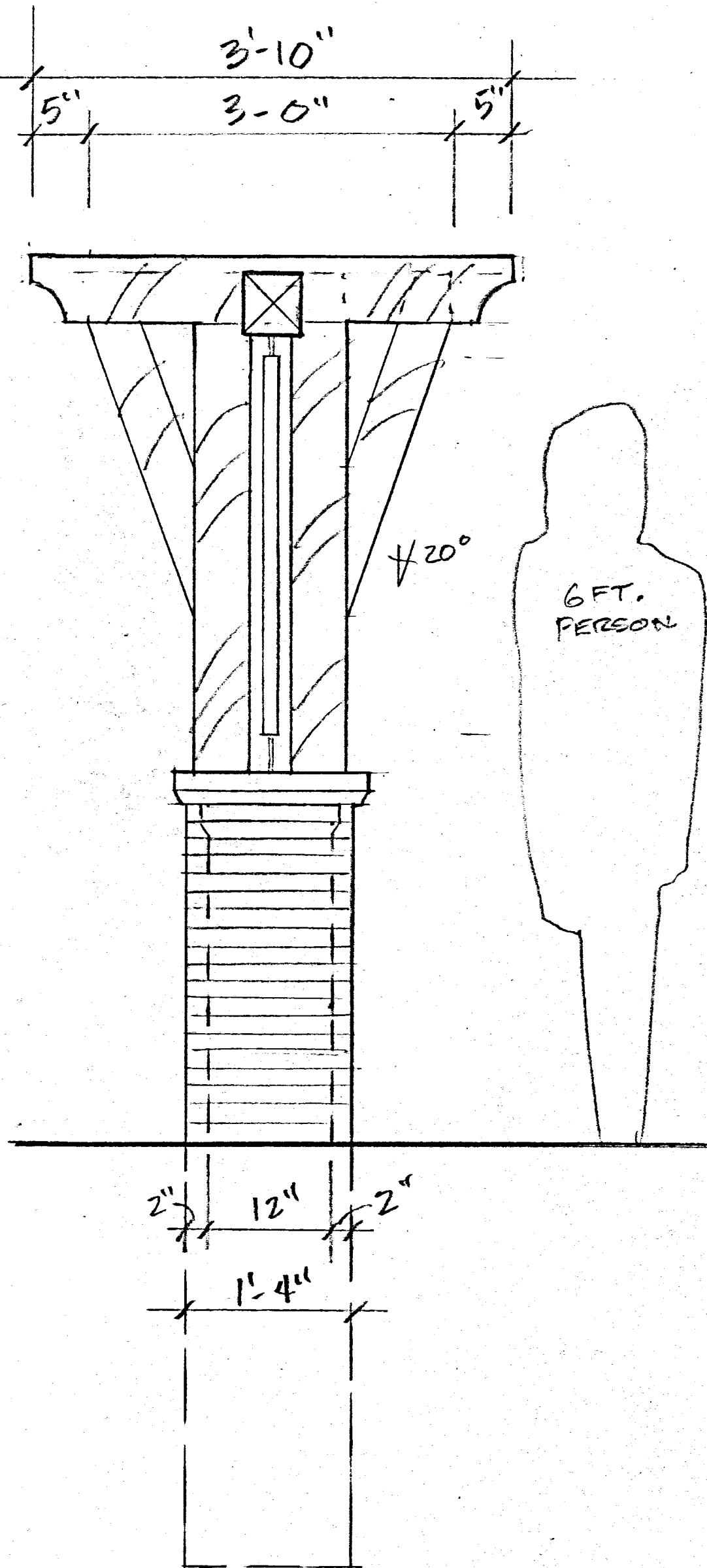
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 9/09/2019

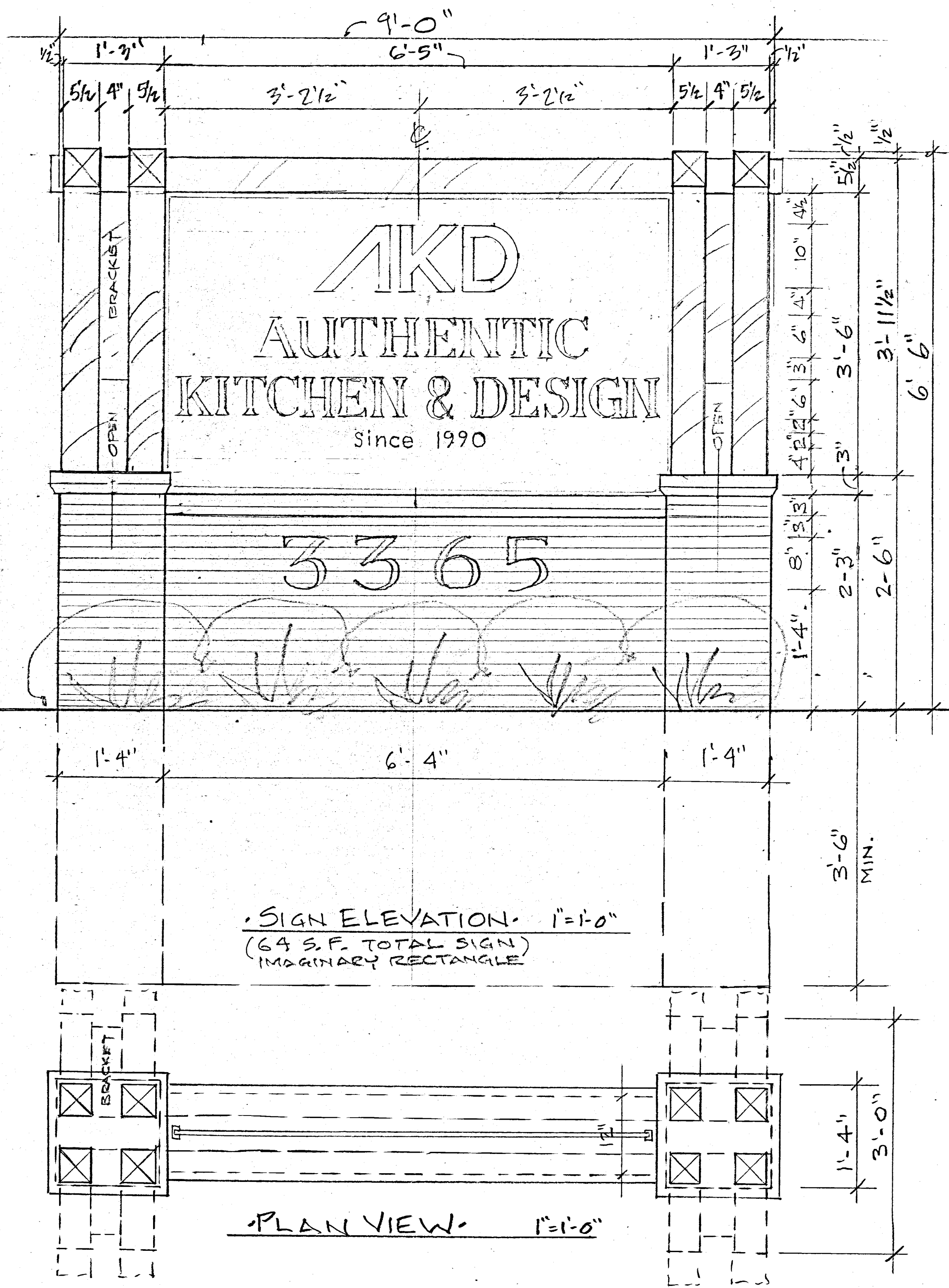
Job No.:
 10537

Sht. No.:
 1 OF 1

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SIDE ELEV. 1"=1'-0"



SIGN ELEVATION - 1"=1'-0"
(64 S.F. TOTAL SIGN)
IMAGINARY RECTANGLE

PLAN VIEW 1"=1'-0"



620 N. Milford Rd.
Milford, MI 48381
248-684-4649
FAX: 248-685-0179

AKD
DATE: 9-17-19
SHEET: 1 OF 1
DWG#: W-2804