EXHIBIT 28

Betsy Bunn

From: Leland Clerk <Clerk@lelandtownship.com>
Sent: Thursday, April 23, 2026 3:13 PM
To: Betsy Bunn
Subject: Re: Apollos Properties, LLC - Notice of Appeal to Zoning Board of Appeals

Thank you, Betsy,
Your correspondence is received. I also see the further two emails with the exhibits.
Respectfully,
Lisa Brookfield
Leland Township Clerk
Clerk@lelandtownship.com
231-256-7546

> On Apr 23, 2026, at 2:15 PM, Betsy Bunn <bbunn@parkerharvey.com> wrote:
>
> Good Afternoon Ms. Brookfield:
>
> Please see the attached correspondence from Robert W. Parker regarding the above-referenced matter, along with the Notice of Appeal. The Decision is attached to the Notice, however, due to the size of the Exhibit files, I will send those in a separate email. Also attached here, is the other material referenced in the letter. If you have any questions, please let Mr. Parker know.
>
> Same is being mailed to you today, via US mail, including the check for the filing fee. Note that we did not also mail the 39 exhibits to the decision (300+ pages), since they are being emailed here, but we did attach the exhibit index to the paper decision.
>
> Thank you.

Betsy Bunn
Legal Assistant

DIRECT 231.486.4524 EMAIL bbunn@parkerharvey.com

PARKER HARVEY PLC
901 S. Garfield Ave, Suite 200, Traverse City, MI 49686
MAIN 231.929.4878 FAX 231.929.4182 www.parkerharvey.com

<image001.png>

***** Parker Harvey PLC ***** Please note that this email message and any attachments may contain privileged or confidential information that is protected against use or disclosure under federal and state law. If you have received this in error, please advise by immediate reply. Any transmission to persons other than the intended recipient shall not constitute a waiver of any applicable privileges. Any unauthorized use, disclosure, copying or dissemination is strictly prohibited.

<Leland Twp Clerk L03_Notice of Appeal - Letter only, emailed w_separate attachments(2009431.1).pdf>
<Notice of Appeal w_Decision (exhibits attached separately)(2009447.1).pdf>
<4.22.2026 T. Grier Letter(2009439.1).pdf>

Parker Harvey PLC
901 S Garfield Ave, Suite 200
Traverse City, MI 49686
231-929-4878

First Community Bank
Traverse City, Michigan 49684
74-677/724

10041

April 23, 2026

PAY TO THE ORDER OF Leland Township $ *300.00*

*Three Hundred & 00/100********** DOLLARS

MEMO Notice of Appeal #3205.17
Apollos Properties, LLC

AUTHORIZED SIGNATURE

⑈010041⑈ ⑆072406771⑆ 40200194⑈

Parker Harvey PLC

10041

April 23, 2026
Leland Township
$300.00

Notice of Appeal
Apollos Properties, LLC / #3205.17

Parker Harvey PLC

10041

NOTICE OF APPEAL
TO THE
ZONING BOARD OF APPEALS
Leland Township, Leelanau County, Michigan

(Use for Ordinance or Map Interpretation, Variance, or Appeal of an Administrative Decision; See Article 4)
(All references to "Section" and "Article" refer to the Leland Township Zoning Ordinance)

Important Notice to Applicants: *8 copies of this appeal must be completed in full and submitted to the Zoning Administrator. All questions must be answered completely. If additional space is needed, number and attach additional sheets. The total number of attached sheets is* 348.

Name and Address of Appellant:
Apollos Properties, LLC
901 S. Garfield Ave., Ste. 200
Traverse City, MI 49686

Phone Number of Appellant:

Residence:
Work Place: 231-486-4504

FOR TOWNSHIP USE ONLY

Appeal Number:
Date Received:
Tax Parcel Number:
Fee Received: (amount and date)
Fee Receipt Number:

Zoning Board of Appeals
Application Received by ZBA (date):
ZBA Hearing Date:
Action Taken on (date): (summarize below)

Special Notes:
Date Comment

Zoning Administrator **Date**

PART 1: ACTION REQUESTED

I (we), the undersigned, request a hearing before the Leland Township Zoning Board of Appeals for the purpose indicated below (circle the appropriate purpose):

Ordinance or Map Interpretation | Variance | Appeal from an Administrative Decision

PART 2: REQUEST for VARIANCE from the REQUIREMENTS of the ZONING ORDINANCE

(This part is to be completed for variance requests only. See Section 4.05(C))

B. State specifically the variance being requested (such as a 5 foot reduction on side yard setback, 10% reduction in parking spaces, etc.)

_____
_____
_____
_____
_____
_____

C. Describe the peculiar or unusual characteristics of your property which require the granting of a variance.

_____ too narrow _____ elevation _____ soil
_____ too small _____ slope _____ subsurface
_____ too shallow _____ shape _____ other (please specify)

_____
_____

D. State exactly what is intended to be done on the property which necessitates a variance from the Zoning Ordinance. _____
_____

E. Justification for granting the requested variance. Answer the following questions and attach your answers to this application (See Section 4.05(C)).

1. Are there any practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this Ordinance?
2. Does a genuine hardship exist 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. Did the hardship or special conditions or circumstances result from actions of the applicant? If so how?
4. Will the variance relate only to property under control of the applicant?
5. Will the variance be in harmony with the general purpose and intent of this Ordinance and not cause a substantial adverse effect upon surrounding property, property values, and the use and enjoyment of property in the neighborhood or district?
6. Will strict compliance with ordinance requirements unreasonably prevent the applicant from using the property for a permitted purpose, or render conformity unnecessarily burdensome.
7. Is the variance requested the minimum amount necessary to overcome the inequity inherent in the particular property or mitigate the hardship?
8. Will the variance permit the establishment, within a district, of any use which is not permitted by right within that zoning district?

F. **Legal description of subject property** (attach survey if possible):

G. **Address of Property:** _____

H. **This property is:** unplatted or platted (circle appropriate answer)
If platted, name of Plat: _____

I. **Present use of the property is:** _____

J. **Existing zoning classification of the property is:** _____

K. **Drawings:** Eight (8) copies of a plan drawn to scale of 1 inch = 100 feet must be submitted with this application clearly showing, but not limited to, property lines, lot shape and dimensions, proposed and existing building locations and dimensions, parking and yard areas, and features for which a variance is being requested.

PART 3: INTERPRETATION OF ZONING ORDINANCE OR MAP

(This part is to be completed for ordinance interpretation requests only. See Section 4.05(B))

A. **The appellant respectfully requests the Board of Appeals make an interpretation of:**

_____ **a.** The location of district boundaries on the Zoning Map as applied to the property described in this application (See Section 9.04).

_____ **b.** The provisions of Section _____ of the Leland Township Zoning Ordinance.

_____ **c.** Other, specify, _____

B. **Please describe in detail the nature of the problem to be interpreted and the reason for the request.**

PART 4: APPEAL from ADMINISTRATIVE DECISION

(This part is to be completed only for appeals of an administrative decision. See Section 4.05(A))

A. The appellant respectfully requests the Board of Appeals to reverse or modify the administrative decision of the Zoning Administrator / Planning Commission (circle as applicable) made on 4/15/26 (date) regarding Application No. unknown (Attach a copy of the decision.)

Reversal or modification requested: granting of the special use permit.

Reasoning for reversal or modification of decision: the decision is contrary to the applicable facts of law.

PART 5: AFFIDAVIT

I (we), the undersigned, acknowledge that if a variance is granted, or other decisions favorable to the undersigned are rendered upon this appeal, the said decision does not relieve me (us) from compliance with all other provisions of the Leland Township Zoning Ordinance. I(we), the undersigned, affirm that the answers, statements, and information contained herein are in all respects true and correct to the best of my (our) knowledge and belief.

Robert W. Parker
Attorney for Appellant

04/23/2026
Appellant(s) Signature(s) Date

LELAND TOWNSHIP PLANNING COMMISSION

March 18, 2026 Meeting for Deliberation

Special Land Use Permit Application

Applicant - Apollo Properties, LLC

Tenant- Youth for Christ

Property- 110 N. Lake St. Parcel No. 09-750-101-00

Intended Special Land Use – Christian Club

Set 1 – Approval

Article 16: Standards for Special Land Uses

Section 16.01 General Standards Applicable to All Special Land Uses

Section 16.01A Approval of a special land use shall be based on the determination that the proposal, will comply with all applicable requirements of this Ordinance, including site plan review criteria set forth in Article 6, and applicable supplemental standards for specific use set forth in this Article. The land use or activity shall be consistent with and shall comply with the following standards:

Section 16.01A (1) The general principles and objectives of the Comprehensive Development Plan [Master Plan of 2024] of the Township are proper and relevant consideration by the Planning Commission in reaching its decision.

The Zoning Ordinance (16.01(A)(1)) provides that the "general principles and objectives of the Comprehensive Development Plan [Master Plan] of the Township are proper and relevant consideration of the Planning Commission in reaching its decision." It is important to note that strict compliance with the master plan is not a basis for approval or rejection of a special land use application. Rather, the ordinance simply provides consideration of the master plan is a proper and relevant consideration when evaluating an application. The applicant contends that the proposed use is in accordance with the master plan. Specifically, one of the land use goals and objectives outlined in the Plan is to "encourage mixed-use land use patterns and character." (Goal 7.3.5). Elsewhere, the master plan identifies as a goal to "maintain community centers by supporting the needs of existing and new community institutions in the

Villages." (Goal 7.3.8). With regards to the Village of Leland, the master plan envisions mixed-uses within the Village. (Chapter 8: Future Land Use Recommendations page 8-4). The Future Land Use Map in the master plan (Figure 8.1 Chapter 8: Future Land Use Recommendations) envisions the entirety of Leland as "Leland Village Mixed Use". Approving this special land use application will advance the identified goals and is also consistent with the concept of mixed-uses within the Village. See relevant excerpts from the Master Plan, **Exhibit 1**.

Section 16.01A (2) The proposal is consistent with and in accordance with the general objectives, intent and purposes of this Ordinance.

General Findings of Fact

[General Findings of Fact under this Section 16.01A(2) also apply to the other Sections where incorporated by reference]

A. The Property

The property consists of Lots 5 and 7 located in the plat of the Village of Leland within Leland Township ("Township). The property is located at 110 N. Lake Street Parcel No. 09-750-101-00 across from the Leland public marina. It is north of the River and north of the Fishtown area of Leland. Located on the property are two commercial buildings. The north building, which is the subject of this application, is approximately 2,470 square feet. See aerial photo of property from Lelanau County Records, **Exhibit 2 (or "Ex")**. [1]See ground level photographs of the two buildings, **Ex 3**. See Site Plan, **Ex 4**. The property was acquired by Apollo Properties, LLC, in February of 2026. Prior to acquisition, both buildings were used for commercial/retail. See Summary of Existing Uses, **Ex 5.** Both buildings are served by public sewer and share a private water well. See County Health Department documents, **Ex 6.**

B. Youth for Christ

The property owner does not intend to alter the existing use of the south building but proposes to use the north building to accommodate the activities of Bluewater Thumb Youth for Christ ("Youth for Christ" or "YFC"). YFC would occupy the north building under a five (5) year lease as a tenant. See Commercial Lease, **Ex 7**. See Applicant's Project Description, **Ex 8**. Bluewater Thumb Youth for Christ is a Michigan nonprofit and ecclesiastical corporation first incorporated in Michigan in 1975. See YFC's 1975 Articles of Incorporation, **Ex 9**, which describe YFC's purpose (Article II):

> The primary purpose of this corporation is religious, charitable and educational, with attention primarily directed toward the youth of this area, and their communities.

[1] See Tabulated Set of Exhibits which is incorporated by reference into these Findings and Conclusions

Bluewater Thumb YFC's registered address is 7392 W. Michigan Avenue, Pigeon, Michigan. It is also a 501(c)(3) charitable organization. It is a chartered affiliate of Youth for Christ/USA, Inc. The parent organization has been a 501(c)(3) since 1954. See YFC November 1, 2022 letter of tax-exempt status (including 1954 Treasury letter), **Ex 10**. See November 7, 2025 letter from Debra Busetti (YFC legal operations) **Ex 11** December 4, 2025 Busetti letter. **Ex 12**.

YFC's Ecclesiastical Annual Report, **Ex 13**, dated October 9, 2025 further described its purpose as a "Non-profit youth organization specializing in non-denomination youth activities and studies" YFC is led by a non-profit corporation board of directors. See also YFC "Learn Campus Life" documents that describe YFC's mission, **Ex 14**.

YFC's use of the property is set forth in its Club Membership Policy which is attached as **Ex 15.** That policy provides in part as follows:

> The Leelanau County Campus Life Club is a gathering of high-school–age students for safe, supervised activities led by trained YFC staff and approved volunteers. The purpose of the Club is to provide creative programs that help young people make good choices, build a solid foundation for life, and make a positive impact on their schools and communities.
>
> Consistent with all Youth for Christ ministries, the Club seeks to engage students as followers of Jesus Christ and to encourage balanced growth - mentally, physically, spiritually, and socially. These goals are accomplished through group activities, discussion, teaching, prayer, worship, and fellowship.

YFC has over 130 chapters across the country and 10 chapters in Michigan. YFC's program includes Juvenile Justice, Teen Parents, Deaf Teen Quest, City Life, Campus Life Military and Campis Life. Campus Life is the model used in Leelanau County. Since 1944 it has been working with 11-19 year olds. Billy Graham was an early leader of YFC, and he helped YFC rallies in the 1940s. See Applicant's Project Description, **Ex 8.**

Facility Use - 110 North Lake Street, Leland, Michigan

The Ministry has been offered the use of the property at 110 North Lake Street in Leland, Michigan, as a dedicated gathering space for Campus Life Club activities.

The facility is not open to the general public. It is available exclusively to:

- High-school–age students from Leelanau County and surrounding areas who desire to participate in the Campus Life Club; and
- Occasional guests who may attend at the discretion of Club leadership or local YFC ministry staff.

Participation & Student Safety

All students who attend the Club will be entered on an attendance roster. Student and parent/guardian contact information is maintained, and a signed parental release form - including media-image permission - is required for participation.

Students may discontinue participation at any time by notifying Club staff or by simply choosing not to attend. If a student displays behavior that is unsafe, inappropriate, disruptive, or detrimental to other participants or staff, Club leadership may initiate removal and inform the parent/guardian."

Average attendance at the building is anticipated to be around 25. Initially, the hours of operation are contemplated to be 8 hours per week during the school year and 23 hours per week during the summer:

Hours of Operation.
Summer:
Wednesday: 10:00 am–4:30 pm,
Thursday: 12:00 pm–9:00 pm,
Friday: 12:00 pm–4:30 pm,
Saturday: 12:00 pm–4:30 pm,
Sunday: 6:00 pm–9:00 pm.

School year:
Wednesday 9:00 am–12:00 pm,
Friday 6:30 am–8:00 am,
Sunday 5:00 pm–8:30 pm.

C. Zoning Generally

The Township Zoning Ordinance' Zoning Map, **Ex 16** has classified several blocks of the Village area of Leland as the Village Commercial ("C-1") zoning district. This is shown by Zoning Map's enlargement of the Village area, **Ex 17**. The C-1 district also corresponds with the two blocks between N. Lake Street (to the west), River Street (to the south), N. First Street (to the east) and Pearl Street (to the north). The C-1 district further includes part of the area known as "Fishtown" along the Leland River to the south. The Waterfront and Fishtown zoning districts, C-3 and C-4 are also in this area There are other pockets of C- 1 within the Village area. See aerial photo with parcel numbers and street names written in. **Ex 2** which can be compared with the Zoning Map enlargement, **Ex 17**.

Zoning Ordinance (or "ZO") Section 12.01 A. describes the intent of the C-1: Village Commercial District (refer to **Ex 18** for relevant excerpts of Article 12 of the ZO):

> **A. Intent:** The Village Commercial District is intended to provide for central business areas where the presence of retail stores and service establishments address the day-to-day retail and service needs of tourists and local residents. This District is intended to provide for a more pedestrian-oriented commercial area than provided for in other commercial districts and promote convenient pedestrian shopping and stability of retail development by encouraging a contiguous retail frontage and by prohibiting

> automotive related, highway service, and non-retail uses which tend to break up such continuity and the character intended for this District. The Village Commercial District is intended to implement, in part, the Mixed Use Area(s) component of the Leland Township Comprehensive Development Plan.

ZO Section 12.01 B. and C. provide for the permitted uses and special land uses (or "SUP"), respectively within the Village C-1 district.

1. Clubs under Zoning

Notably, churches are not permitted as either a permitted use or a special land use within the C-1 District.

> "Clubs", however, are allowed as a SUP:
>
> C. Special Land Uses Permitted By Special Use Approval
>
> 3. Clubs and other establishments which provide food or drink for consumption by persons seated within a building that is not part of a drive-in, and may also provide dancing and entertainment. (Amendment 2009-02)

ZO Section 2.02 defines a "Club" as follows (see **Ex 19**):

> **Club:** An organization of persons for special purposes or for the promulgation of sports, arts, science, literature, politics, agriculture or similar activities, but not operated for profit and open only to members and not the general public.

2. Churches under Zoning

ZO Section 2.02 defines Church:

> A building wherein persons regularly assemble for religious worship and which is maintained and controlled by a religious body organized to sustain public worship, together with all accessory buildings and uses customarily associated with such primary purpose.

Churches are allowed as a special land use under ZO Article 16 within the following zoning districts: Agricultural Conservation zoning district - ZO Section 10.01 C. 5; Low Density Agricultural Section 11.01 C. 2.; Medium Density Lakeshore Residential 11.02 C. 2.;Medium Density Inland Residential District 11.03 C. 2;Medium Density Village Residential District 11.04 C. 2.; High Density Village Residential 11.05 C. 2.

ZO Section 16.11 A. provides for the following specific Special Land Use standards for Churches (see **Ex 20**):

1. All ingress and egress for the site shall be from a paved major or minor thoroughfare.
2. The site shall be at least two (2) acres in size.
3. No more than twenty-five (25) percent of the site area shall be covered by buildings. No more than sixty percent (60%) of the site shall be covered by impervious surface.
4. No building shall be closer than fifty (50) feet from any lot line or right-of-way.
5. No building shall be erected to a height greater than that permitted in the district in which it is located unless the building is set back an additional one (1) foot for each one (1) foot of additional height above the district height limitation. A spire is excluded. [Emphasis added]

This shows that churches are allowed by special use permit in over 98 percent of the Township's land area. When they are allowed, it is through a special use permit where at least two acres of land area are available and no more than 25 percent of the land area is covered by buildings.

Churches are not allowed in the four commercial districts within the Village area near Fishtown and the Municipal Marina, which are: Village Commercial C-1, General Commercial C-2, Waterfront Commercial, and Fishtown Historic District C-4. See Zoning Map, **Ex 16**, and Zoning Map Enlargement, **Ex 17**.

D. "Club" the under Zoning Ordinance

YFC is an organization of persons for special purposes, which meets the Township's ZO definition of a club.

YFC also fits the 'similar activities' definition of a club. YFC asserts that the proposed activities do not constitute a church as that term is defined in the Township's ZO nor as that term is customarily understood. The Applicant has described the activities, which will be carried on at the property as follows: "Consistent with all Youth for Christ ministries, the Club seeks to engage students as followers of Jesus Christ and to encourage balanced growth - mentally, physically, spiritually, and socially. These goals are accomplished through group activities, discussion, teaching, prayer, worship, and fellowship." Unlike a church, the proposed club is not open to the general public but rather confined to members of the club.[2]

Misty Cramer, who is the wife of Todd Cramer, the Executive Director of Bluewater Thumb YFC appeared at the January 7th, 2026 public hearing and offered testimony as to the activities which are customarily held at YFC campus clubs. Her written statement is attached as **Ex 21**. See Appollos Memo, dated November 25, 2025, **Ex. 24** and Supplemental Memo, dated January 19, 2026, **Ex 25**.

[2] See YFC Campus Life Club Membership Policy which was attached to earlier Memorandum.

The Fishtown Preservation Society ("FPS") contends that the Township's zoning ordinance contemplates two types of clubs: The first are clubs described in Article 2. These type of clubs, it contends, are referenced in the C-2 district. The second type of clubs are those referenced in the C-1 district. FPS contends that clubs in the C-1 district provide food or drink for persons seated in a building and are different from clubs described in Article 2. FPS contends that clubs in the C-1 district are akin to restaurants and are not clubs as defined in Article 2 and which are referenced in other districts.

This distinction, if in fact there is one, is irrelevant. As explained when the application was submitted and at the public hearings, food and drink are offered to the members who attend. It is typical that soft drinks, coffee, water, hot chocolate, bagels, ice cream, donuts etc. are provided. This was the practice when the club was briefly open this past summer. See Robert Parker letter, dated February 18, 2026, **Ex 28**.

There is no requirement that the club function as a restaurant only that it "provide food or drink for consumption within a building". If in fact clubs in the C-1 district are different from clubs allowed in the C-2 district, this is of no consequence as what is proposed meets the C-1 district requirements. Secondly, the term *club* as defined in Article 2 and as used in the C-1 setting are not mutually exclusive. A club defined in Article 2 may be a club as referenced in the C-1 district provided that it provides food or drink. That's exactly the situation here.

FPS contends that YFC is not a club as it "does not provide any information showing that the building will be open only to members." This is not accurate. Todd Cramer, at the November hearing, specifically stated that the club house is not open to the public and is open only to members. Attached to the Applicant's Memorandum dated November 25, 2025, **Ex 24** as Exhibit D was YFC's description of how the club would function. "The facility is **not open to the general public.** [Emphasis in original.] It is available exclusively to high school age students from Leelanau County and surrounding areas who desire to participate in the Campus Life Club and an occasional guest may attend at the discretion of Club leadership or local YFC ministry staff".

FPS contends that the use is not a club but rather a place for religious assembly and thus not permitted in the C-1 district. This too is inaccurate. YFC previously addressed the issue of whether the proposed activity constitutes a church or religious institution in its Supplemental Memorandum. **Ex 25**.

What is proposed is neither a church nor a religious institution. Secondly, and perhaps more importantly, Article 2 provides that clubs may be formed for many purposes including "sports, arts, scientific, literature, politics, agriculture or similar activities". Clearly a club which is formed around a religious theme would be a club formed for "similar activities" FPS contends that the religious nature of the activities renders the club a church or religious institution.

Churches and religious institutions are not permitted in the C-1 district. They are permitted in other districts. Section 16.11 requires that churches and religious institutions must be situated on lots of not less than 2 acres and imposes significant impervious surface limitations. As noted in Township Attorney Brad Wierda's February 3, 2026, letter to the Planning Commission, **Ex 27**,

federal law in the form of RLUIPA protects individuals and religious assemblies from discriminatory land use regulations. In discussing RLUIPA's application to the facts of this matter, FPS focuses almost entirely upon the Act's prohibition that the subject land use regulation must not impose a "substantial burden on the exercise of religion." FPS ignores the other prong of RLUIPA which is that the subject land use regulation must treat religious assemblies and institutions as least as well as non religious assemblies and institutions. Given this prohibition it would be improper to prohibit clubs in the C-1 district with religious themes while allowing clubs with secular themes.

FPS contends that if it is determined that the ordinance is unclear as to type of clubs which are permitted in the C-1 district, then the ordinance does not meet the legal requirement of defining special uses with specificity and the provisions for clubs in the C-1 district should be ignored. The ordinance is not unclear. Any lack of clarity is totally the product of FPS's obfuscation. Clubs which provide food or drink for persons in the club and which otherwise meet the definition of club in Article 2 are permitted in the C-1 district.

Opponents of the application have focused on the last paragraph of a November 7, 2025, letter from the Youth for Christ USA, **Ex 11**, which is the parent or chartering organization for Bluewater Thumb Youth for Christ which states, "Youth for Christ USA, Inc. has also been recognized by the IRS as an association of churches under Internal Revenue Code Sections 509(a)(1) and 170(b)(1)(A)(i). As a subordinate of Youth for Christ USA, Inc., Bluewater Thumb YFC is a member church in good standing of the Association of Youth for Christ Churches." Based upon this letter, opponents have argued that YFC is a church and the activities proposed at 110 N. Lake Street constitute the operation of a church which is not permitted in the C-1 zoning district.

Youth for Christ USA is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code (IRC). Every organization described in IRC Section 501(c)(3) also has a foundation classification. The two main classifications are *public charity* and *private foundation*. The foundation classification is important as it determines which tax rules govern the organization's operations (including filing requirements) and which limitations apply to the donor's contributions. Public charities (509(a)(1)) typically receive substantial support in the form of grants, and contributions from governmental units, the general public, and other public charities. Typically, a public charity must receive no less than one-third of its support from the general public over a five-year period. Churches, because of their nature, are considered inherently public charities.

Ex 11 simply confirms that the organization is considered a *public charity* under 509(a)(1) and not a private foundation under 509(a)(2). The reason for that classification is that it receives substantial support from the general public. Bluewater Thumb YFC is not a church as that term is commonly understood. The status of Bluewater Thumb YFC was subsequently clarified in a letter of December 4th, **Ex** 12, where the unnecessary reference to Bluewater Thumb YFC as a church was removed.

The Ordinance defines a church as a building where persons engage in religious worship. Public worship and religious worship have different meaning. In *Great Lakes Society v.*

Georgetown Charter Township.[3], a local zoning ordinance permitted churches in residential districts via special land use permits. Great Lakes Society, a Michigan ecclesiastical corporation and IRS-recognized organization exempt from taxation under 501(c)(3), was initially denied a special land use permit by the Township given the extent of its proposed non-worship activities occurring outside of its proposed regular worship services. These activities included a youth center, preschool, day-care center, gymnasium, a coffee bar, dance studio, bookstore, printing office, and other non-worship functions. The Township contended that given the extent of these non-worship activities, the principal purpose of the building was not public worship, and thus, it was not eligible for a special land use permit.

The Court of Appeals disagreed with the Township and the trial court. It held that to be considered a church and be eligible for a special land use permit the building "must be used to some extent for public worship." The Township had contended that the "building is not a church because of the non worship activities and uses that will occur within it."

The Court observed:

> "With respect to whether the other activities are reasonably closely related in substance to the public worship function of the proposed building, almost all of them clearly are. That is certainly true for the meditation and prayer rooms that adjoin the worship center. They provide space for traditional worship activities in a more intimate, small group setting. As explained in *Bates*, the youth center and other areas of the building designed to strengthen the fellowship of the GLS congregation serve to enrich GLS as a worshiping community. For much the same reason the use of the proposed building to provide ministerial, faith-based counseling to congregants is reasonably closely related to the public worship use of the building."

While the case is not precisely on point, it is helpful in that it clearly supports the notion that the ancillary activities of a church are non-worship activities. The case specifically refers to the Society's youth ministry as ancillary or accessory to its public worship function.

The issue of what constitutes a church also arises in the context of property tax exemption. (Churches and parsonages are exempt from property taxes. MCL 211.7(s)). A 1979 Michigan Court of Appeals case[4] involved a home owned by the Asher Student Foundation in East Lansing, which housed about 90 students of the Christian Science faith. Two of the rooms in the building were used for the "study of Christian Science and prayerful meditation." The Court accepted the Foundation's contention that the home did not constitute a place "of public worship." Within the context of property tax exemptions, the term church is defined to be "buildings or other facilities owned by a religious society and used predominantly for religious services or for teaching the religious truths and beliefs of the society." MCL 211.7s.

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[3] Great Lakes Society v Georgetown Charter Township, 281 Mich App 396 (2008). **Ex 22.**
[4] Asher Student Foundation v City of East Lansing, 88 Mich App 568, (1979). **Ex 23.**

It is clear that the use as proposed by the Applicant for the property located at 101 N. Lake Street would not render the property a *church* either as defined by the Zoning Ordinance or as that term is commonly used.

E. Existing Uses in the Village C-1 District neighboring the subject Property

For the purpose of determining the *existing* land uses within the Village C-1 district neighboring the subject Property, a Summary of Existing Land Uses (or "SEU") has been prepared. The SEU addressed the C-1 district area shown in the aerial photo below within the area outlined with yellow hi-lighting. The applicant's subject property at 110 N. Lake Street is shown at Parcel 009-750-101-00) with the blue outline. Margaret Mielczarek assisted with the SEU by preparing the text as to the current and/or past use of the properties within the SEU area. A full copy of the SEU is included as **Ex** 5 along with an affidavit of Margaret Mielczarek.



Lake Street East Side (South to North, starting from River St & ending on Pearl St)
1. Address: 110 W RIVER ST
Owner: ALSIP KENNETH R & AMBER E



1a. Suite A: Manitou and Co Distillery.

Use: Established in 2004 by children of the Alsip Family and well as the Burda Family. Distillery of handmade spirit, locally made.



1b. Suite B: The Fish Hook

Use: Est 1981 by the Alsip Family. Unique Retail Shop with fishing gear, licensing for fishing. Apparel, shoes and other sporting goods. Family run with lots of knowledge of where to fish, and how to have success in doing so.



2. Address: 110 N LAKE ST
Owner: APOLLO PROPERTIES LLC

Use: Harbor Square. Established in 1998 by a long time Leland Family. Originally as 8 separate units of retail with storage beneath each space. Original use was shopping experiences of one of a kind businesses.



2a. Greta's of Leland. Ladies retail apparel and accessories. Established in 2009 by Greta Stimson.

2b. Grand Traverse Distillery. Hand crafted cocktails and tasting room.



3a Address: 106 N LAKE ST 1
Owner: DUVERNOY CHRISTIAN

Use: Established in 2007, This building was created for the use of summer rental property.



3b and 3c. Address: 106 N LAKE ST 2 & 3
Owner: WANROY PHYLLIS F
Use: Units 2 and 3: Fishtown Sail Company- Established in 2010 by Phyllis Folley-Wanroy. Unique custom bags made from recycled sailcloth.



3d. Address: 106 N LAKE ST 4
Owner: WANROY SEAN FOLE



Use: This space has been various retail shops over the years.

3e and 3f. Address: 106 N LAKE ST 5 & 6
Owner: WANROY SEAN



Use: 3e. Downstairs: This has been an office space used for various tenants.

Use: 3f. Upstairs: Established year round residence in 2007 for local family running business within the village.

Main Street West Side (North to South, starting from Pearl St and ending on River St)

4. Address: 111 N MAIN ST
Owner: HUNTINGTON NATIONAL BANK



Use: Historic Home preserved converted to a bank as early as the 1990's. Placed on the Historic Register in 1975.

5. Address: 113 N MAIN ST
Owner: RINGL & ASSOCIATES LLC

Use: Momentum- Retail shop with tourist items for sale.



6. Address: 109 N MAIN ST
Owner: KJM LIBRIS LLC

Use: Leelanau Books - Established as a bookstore in 1976, and continues to serve the community with book sales as well as activities for children, and community outreach.



7. Address: 101 N MAIN ST
Owner: HARBOR HOUSE PROPERTIES LLC

Use: Leland Harbor House. Built in the 1850s and has had many roles within the community ever since. Since 1990 has been established as sporting good clothier as well as an Ice Cream Shop.

8. Address: 105 N MAIN ST

Owner: HARBOR HOUSE PROPERTIES LLC

Use: Molly's. Family run women's clothing boutique since 1981

9. Address: 107 N. MAIN ST
Owner: HARBOR HOUSE PROPERTIES LLC

Use: Goodness on Main. Women's clothing boutique established in 2024.



10. Address: 104 W RIVER ST
Owner: COLLINS MICHAEL R & JENNIFER L

Use: Two Fish. Established in 1997 as a retail shop with art, unique creations and accessories.

Main Street East Side (South to North, starting from River St and ending on Pearl St)



11. Address: 102 N MAIN ST
Owner: FEFFER ACQUISITIONS LLC

Use: The Find North. Unique Shop of women's clothing and home accessories, established in Leland in 2002, but moved to this location in 2024.



12. Address: 104 N MAIN ST
Owner: FEFFER ACQUISITIONS LLC

Use: Ben Maier Ceramics. Established in 2003, This retail location showcases local ceramic artist one of a kind pieces.



13. Address: 106 N MAIN ST
Owner: FREXIA LLC

13a. Unit A – Haystacks. Established in 2000, a ladies clothing brand created here that has since expanded to 7 other locations.

13b. Unit B - M22

13c. Unit C - Little Boat Coffee. One of a kind coffee shop, opened by local couple Landon and Nicole McDaid in 2025.

13d. Unit D – Moraine. Unique Filigree Jewelry designs, made locally by designer Kelsey McQuown.

14. Address: 112 N MAIN ST
Owner: TELGARD J CHRISTOPHER & KATHLYN D

Use: Edgewater Shop - Ladies clothing boutique established in 2025 by resident Katie Cassidy.



15. Address: 118 N MAIN ST
Owner: LASKEY DONA SCOTT TRUST

15a. Legal office for Donna Laskey

15b. Real Estate office for Tom Aflen.



16. Address: 122 N MAIN ST
Owner: SALLY PROPERTY HOLDINGS LLC

Use: Leland Post Office, established in 1965.

First Street West Side (North to South, starting at Pearl St and Ending on River St)



17. Address: 120 E PEARL ST
Owner: MAGNU INVESTMENTS LLC

Use: Local Residence rental property.



18. Address: 105 N FIRST ST
Owner: LEELANAU CONSERVANCY

Use: Current home office for Leelanau Conservancy, which was established in 1988.

19. Address: 103 E RIVER ST
Owner: TELGARD DARYL J & LYNN H



19a. Verterra Winery Tasting Room (on the left); Winery established in 2006.

19b. Self Storage Units (on the right).



First Street East Side (South to North, starting on River St and ending on Pearl St)

20. Address: 201 E RIVER ST
Owner: BROWN MARTIN J
Use: Residence.



21. Address: 106 N FIRST ST
Owner: CARLSON RICHARD D TRUST
Use: Residence



22. Address: 108 N FIRST ST
Owner: MAPES FAMILY TRUST
Use: Residence

23. Address: 110 N FIRST ST
Owner: BLOOM JON M
Use: Residence



River Street South Side (East to West, starting on First Street and ending in Lake Michigan)

24. Address: E RIVER ST
Owner: STATE OF MICHIGAN
Use: Leland Township Ramp, Public Dock as well as park.



25. Address: 102 E RIVER ST
Owner: TELGARD DARYL J & LYNN H

25a. Coldwell Banker real estate office. (On the river on the left)

25b. The Bluebird Bar and Restaurant. (On the river and on the right) Moved to this new location but it was established in 1927.

25c. Grand Traverse Chocolate Company (On the right) breakfast restaurant, currently closed.



26. Address: 102 S MAIN ST
Owner: LELAND MERCANTILE CO
Use: Leland Mercantile - Local grocery and sundries. Owned by the Burda Family since 1983, built in 1920.

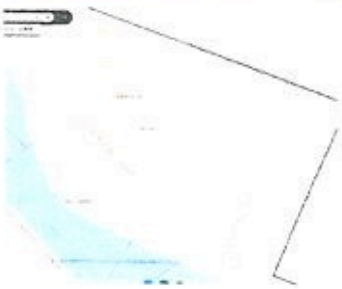




27. Address: 111 W RIVER ST
Owner: WANROY RICHARD C TRUST
Use: The Cove Restaurant - Family owned and operated since 1986.

28. Address: 109 W RIVER ST
Owner: COUNTY OF LEELANAU

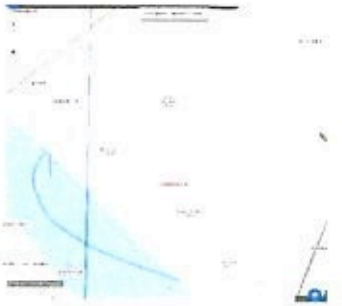
Use: This parcel appears to be a smaller building behind The Cove near the river and includes the river and some docks.



The following parcel includes the majority of Fishtown (C4 Zoned).

29. Address: 203 W RIVER ST (C4 Zoned)
Owner: FISHTOWN PRESERVATION SOCIETY INC

29a. Dam Candy Store - Listed correctly on map. Candy shop passed down through generations, started in 1977.



29b. Village Cheese Sandwich Shop - Established in 1988.

29c. Wild Lettie (formerly reflections) - Local art creations of hand drawn artwork translated to products. Established in 2012.

29d. Leelanau Goods- Local shop curating women's clothing and home accessories. Established in 2018, opened this shop in 2025.

29e. The Bead Hut - Custom jewelry and beadwork since 2009.

29f. Tug Stuff- Started in 1973, a husband and wife creating apparel with Leland's iconic "Tug."

29g. Fishtown Welcome Center- Museum and welcome center to the highlight the historic preservation efforts of Fishtown. (downstairs behind where Fishtown welcome center was on map)

29h. Fishtown Art Shanty - Left hand side of the bottom of building behind where Fishtown welcome center was) Rotating retail establishment for visiting artists to sell their work.

29i. Haystacks "Alice's closet" - Original location for "Haystacks brand" (upstairs of building behind where Fishtown welcome center was)

29j. Diversions- Local hat shop, established by Phil Anderson in 1972.

29k. Leland Brew (where Fishtown welcome center was) Local coffee shop by town character Bob Babbich.

29a-k pictures left to right, top to bottom (missing 29j):












30. Address: 205 W RIVER ST (Part of Fishtown- C4 Zoned)
Owner: FISHTOWN PRESERVATION SOCIETY INC

Use: Carlson's Fishery - 5th generation fishery, in the last working fishing village on the Great Lakes.



31. Address: 207 W RIVER ST
Owner: SOUTH & NORTH MANITOU ISLANDS LLC

Use: Manitou Island Transit – Zoned C3. There are two buildings. One on the right is their gift shop, the one on the left is where one can purchase tickets to ride the ferry across the lake to North or South Manitou.



32. Address: W RIVER ST
Owner: SOUTH & NORTH MANITOU ISLANDS LLC
Use: This parcel appears to be exclusively the docks adjacent to Manitou Island Transit.



33. Address: 107 N LAKE ST
Owner: TOWNSHIP OF LELAND

Use: Leland Harbor Building- Zoned Leland Harbor Overlay District under C3. Contains office buildings for The Harbor Master, welcome center for sailors, which includes facilities for sailors to use when docked in our "safe harbor" including showers.

Conclusion

Based upon the foregoing findings, the Applicant's Youth for Christ proposal is consistent with and in accordance with the general objectives, intent and purposes of this Ordinance. Clubs are allowed as a special land use within the Village Commercial C-1 district. Based on the foregoing discussion, the YFC use constitutes a club and not a church. It is a gathering place to discuss Christian principles and the Bible with young people, but it is not intended as a place to conduct traditional Christian worship services on Sundays, Christian holidays, weddings, funerals, etc. which would be consistent with "church" use

Churches are not allowed in any of the Village of Leland commercial districts. The Zoning Ordinance recognizes the distinct logistic character of churches (places having mass gatherings) requiring a minimum of two acres and only allowing 25 percent of the lot to be covered by structures, not something compatible with the Village of Leland's greater density requirements for the commercial areas. Clubs do not have these same features. A "club" by its definition also allows political and literary and similar interests, subjects similar to the discussion of Christianity. For example, a "CS Lewis" "club" could combine both literary and religious purposes.

The YFC proposal also complies with the specific special land use:

"Clubs and other establishments which provide food or drink for consumption by persons seated within a building that is not part of a drive-in, and may also provide dancing and entertainment."

-because YFC has indicated that food and drink are offered to the members who attend. It is typical that soft drinks, coffee, water, hot chocolate, bagels, ice cream, donuts etc. are provided. This was the practice when the club was briefly open this past summer. See **Ex 28**.

In addition, through the special land use process, conditions can be placed on the YFC club so that it does not become a "church".

Such a club is not inconsistent with the other existing uses in the neighboring C-1 area, which include small retail shops, tourist shops, restaurants, bookstores, small offices, residents and a bank.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A (3) The proposal is designed, constructed, operated and maintained so as to be consistent, compatible and appropriate in appearance with the existing adjacent land uses, existing or intended character of the general vicinity and that such a use will not change the essential character of the area in which it is proposed.

In determining whether this requirement has been met, consideration shall be given to:

Section 16.01A (3)a <u>Compatibility with Adjacent Land Uses</u> The proposed special approval shall be designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special approval shall minimize the impact of site activity on surrounding properties. In determining whether this requirement has been met, consideration shall be given to:

Findings

[The General Findings under Section 16.01A (2) are incorporated herein.]

The YFC intends to use the existing structure at 110 N. First Street for the club. There are no proposed physical changes to the structure or uses such as machinery that could create noise, odor or vibration in a way to make it incompatible. The applicant's property adjoins 110 W. River St. to the south occupied by a retail shop and distillery. There is no incompatibility between these uses. There is a set of retail shops to the north of the subject property. See SEU, Ex 5 pages 2-9. There is no aspect of the club that would make these uses incompatible. Conditions can be added to the approval so that the club does not have the character of a church.

It is contended that uses within the C-1 district are limited to commercial and retail uses and that the YFC use, which is neither, should be prohibited. However, the notion that only commercial or retail uses are permitted is not supported by the language of the Zoning Ordinance (or "ZO").

Article 12, **Ex 18**, Section 12.01(B) which sets forth the uses permitted as of right within the C-1 district, includes single family dwellings and service establishments such as barber shops, banks, and law offices as permitted as of right - although none are retail establishments. Uses permitted via a special land use permit include cemeteries, schools, libraries and clubs which must be non-profit entities. None of these uses are commercial. Nor are they retail. To interpret ZO Section 12.01A as prohibiting all uses other than commercial or retail would render meaningless several of the uses permitted as of right and also the provision for special uses which are of a non-commercial and non-retail nature.

ZO Section 12.01(A) entitled "Intent" provides in part that "The District is intended to provide for a more pedestrian oriented commercial area than provided for in other commercial districts and promote convenient pedestrian shopping and stability of retail development by encouraging a continuous retail frontage and by prohibiting automotive related highway service , and non-retail uses which tend to break up such continuity and the character intended for this district." [Emphasis added.]. It would not be a strained reading of this language to conclude that only retail uses are permitted within the C-1 district. However, the following Section B specifically permits as of right "automobile and service repair facilities" via a special and use permit despite the language in paragraph A which suggests that automotive related uses should be prohibited. The language contained in paragraph A is simply a statement of intent and is non-substantive and non-binding. However, the provisions in paragraphs B and C are the principal operative provisions of the Section and supersede the statement of intent.

Both the Zoning Enabling Act and the Township's ZO require that special land uses should be *compatible* with adjacent land uses. *Compatible* does not mean identical or even supportive. "Compatibility does not mean 'the same as. See A Planner's Dictionary, published by the American Planning Association. The term *compatible* is often defined to mean uses which are able to exist or occur together without conflict. The ZO in Section 2.01 J, **Ex 19**, provides that "any word or term not interpreted or defined by this Ordinance shall be used with a meaning of common or standard utilization. A dictionary may be consulted."

Compatible has a broader meaning than *accessory*. Webster's New World Dictionary defines compatible as "capable of living together harmoniously or getting along well together; congruous." Merriam Webster Dictionary defines the term *compatible* as "capable of existing together in harmony."

Compatibility is confirmed by the fact that the two adjacent retailers in the same complex, Grand Traverse Distillery and Greta's, support the presence of YFC, see **Ex 29**. Likewise, the owner of the commercial building on the corner of Pearl and Lake Streets known as "Greycote" is supportive of the new use, see **Ex 29**. There is simply no basis for concluding that a private, non-profit club with a religious focus would be unable to exist with standard commercial and retail activities without conflict.

Because the use (*club*) is identified as a use permitted by special land use, there already exists a legislative conclusion that the use is compatible with the uses permitted in the C-1 district. The definition of the term *special land use* set forth in the ZO provides that they are "uses and structures which have been generally accepted as reasonably compatible with the primary uses and

structures within a zoning district, but could present potential injurious effects upon the primary uses and structures within the zoning district and therefore require special consideration in relation to the welfare of adjacent properties and to the community as a whole." As a result, a *club,* as defined by the ZO, has been determined to be reasonably compatible with the other uses within the C-1 district.

Conclusion

Based upon the foregoing findings, the YFC's proposed club use has been designed, constructed, operated and maintained to be compatible with uses on surrounding land. The site design of the proposed special approval will minimize the impact of site activity on surrounding properties.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 1. The location and nature of the use will not be in conflict with any Use Permitted by Right of the district.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

Conclusion

Based on the foregoing findings, the location and nature of the use will not be in conflict with any Use Permitted by Right of the C-1 district.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 2. The location and screening of vehicular circulation and parking areas in relation to surrounding development.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

There are no proposed site plan changes to the two current structures or parking areas on the subject property.

Conclusion

The location and screening of vehicular circulation and parking areas in relation to surrounding development will remain unchanged under the applicant's proposal for the YFC Club.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 3. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

There are no proposed changes to the location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development with respect to the applicant's YFC proposal at the subject property.

Conclusion

There are no proposed changes to the location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development with respect to the applicant's YFC proposal at the subject property.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 4. The hours of operation of the proposed use. Approval of a special approval request may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The applicant has presented the following hours for the YFC club:

Hours of Operation.
Summer:
Wednesday: 10:00 am–4:30 pm,
Thursday: 12:00 pm–9:00 pm,
Friday: 12:00 pm–4:30 pm,
Saturday: 12:00 pm–4:30 pm,
Sunday: 6:00 pm–9:00 pm.

School year:
Wednesday 9:00 am–12:00 pm,
Friday 6:30 am–8:00 am,
Sunday 5:00 pm–8:30 pm.

Conclusion

The foregoing hours have been determined to be reasonable in scope.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 5. The design and placement of the structures and infrastructure for the proposed use in relation to surrounding uses.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposal involves an existing building. Placement of the building will not be altered.

Conclusion

The proposal involves an existing building. Placement of the building will not be altered.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A(3)a 6. The relation of the character, density and open space of the surrounding area to density and open space of the proposed project, considering the overall site design, including landscaping and other proposed site amenities.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposal will use the existing north structure on the property. The open space between the two current buildings will be maintained. There are no material site changes on the property.

Conclusion

The proposal will use the existing north structure on the property. The open space between the two current buildings will be maintained. There are no material site changes on the property.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01A (3)e Economic Well-Being of the Community. The proposed special approval shall not be detrimental to the economic well-being of those who will use the land or residents, businesses, landowners, and the community as a whole.

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

Findings

Because the YFC club is a non-profit religious entity, it is expected to be neutral with its impact on other businesses. It is expected to bring young persons into the Village of Leland who would then be able to shop at the various retail and tourist stores in the immediate neighborhood.

Conclusion

Because the YFC club is a non-profit religious entity, it is expected to be neutral with its impact on other businesses. It is expected to bring young persons into the Village of Leland who would then be able to shop at the various retail and tourist stores in the immediate neighborhood.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01 A. 3. b. Public Services. The proposed special approval shall be located so as to be adequately served by essential public facilities and services, such as highways, streets, emergency services, drainage systems, water and sewage facilities, and schools, unless the proposal contains an acceptable plan for providing necessary services or evidence that such services will be available by the time the special approval is established.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street. The referenced utility services are already available.

Conclusion

Because the proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street, the referenced utility services are already available.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01 A. 3. c. Impact of Traffic. The location of the proposed special approval within the zoning district shall minimize the impact of the traffic generated by the proposed use.

In determining whether this requirement has been met, consideration shall be given to the following:

1. **Proximity and access to major thoroughfares.**
2. **Estimated traffic generated by the proposed use.**
3. **Proximity and relation to intersections.**
4. **Adequacy of driver sight distances.**
5. **Location of and access to off-street parking.**
6. **Required vehicular turning movements.**
7. **Provisions for pedestrian traffic.**

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street which has been there for 15 years. The usage from the participants is not expected to create additional or novel traffic concerns.

Conclusion

Because the proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street, which has been there for 15 years, the usage from the participants is not expected to create additional or novel traffic concerns.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01 A. 3. d. Detrimental Effects. The proposed special approval shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental or hazardous to persons or property or to public health, safety, and welfare. In determining whether this requirement has been met consideration shall be given to the level of traffic noise, vibration, smoke, fumes odors, dust, glare and light.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street which has been there for 15 years. There are no new any activities, processes, materials, equipment, or conditions of operation being added to the building that could cause of traffic noise, vibration, smoke, fumes odors, dust, glare and light.

Conclusion

Because the proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street, which has been there for 15 years, there are no new any activities, processes, materials, equipment, or conditions of operation being added to the building that could cause of traffic noise, vibration, smoke, fumes odors, dust, glare and light.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01. A. 3. e Economic Well-Being of the Community. The proposed special approval shall not be detrimental to the economic well-being of those who will use the land or residents, businesses, landowners, and the community as a whole.

Findings

Because the YFC club is a non-profit religious entity, it is expected to be neutral with its impact on other businesses. It is expected to bring young persons into the Village of Leland who would then be able to shop at the various retail and tourist stores in the immediate neighborhood.

Conclusion

Because the YFC club is a non-profit religious entity, it is expected to be neutral with its impact on other businesses. It is expected to bring young persons into the Village of Leland who would then be able to shop at the various retail and tourist stores in the immediate neighborhood.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01 A. 3.f. Compatibility with Natural Environment. The proposed special approval shall be compatible with the natural environment and conserve natural resources.

Findings

[All Findings under prior Zoning Ordinance Article 16 Special Land Use sections are repeated and incorporated herein by reference.]

The proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street which has been there for 15 years. There are no new any activities, processes, materials, equipment, or conditions of operation being added to the building that could cause of traffic noise, vibration, smoke, fumes odors, dust, glare and light which can harm the natural environment.

Conclusion

Because the proposed YFC club use will be contained within the existing north structure at 110 N. Lake Street, which has been there for 15 years, there are no new any activities, processes, materials, equipment, or conditions of operation being added to the building that could cause of traffic noise, vibration, smoke, fumes odors, dust, glare and light, which can harm the natural environment.

PC Vote: Lee Cory _____, Steve Scales, _____, Sam Simpson, _____,

Skip Telgard ____, Brian Fenlon_____

Section 16.01 A. 4. Meet the site plan review requirements of Article 6.

[See attached Appendix A addressing the Site Plan aspects of Article 6 to the extent necessary.]

Section 16.01 A. 5. Conform with all applicable county, state and federal requirements for that use.

The Planning Commission may deny, approve, or approve with conditions, requests for special approval, based on the standards above. (Amendment 2004-08). The conditions are as follows: