BUCHANAN TOWNSHIP
BERRIEN COUNTY
MICHIGAN

At a meeting of the Buchanan Township Board held on July 2, 1990, at the Township Hall commencing at 7:30 p.m., the following action was taken by the Township Board:

The Board considered the Petition for rezoning filed by Ronald L. Berns and Vincent Solano, Jr. on or about January 23, 1990, and the Amendment to that Petition for rezoning dated April 23, 1990. It was moved by REITZ and supported by CHADDERDON that as requested the Petition as amended be acted upon as a Petition for a special use permit to be issued according to the provisions of Article XXVII, Planned Unit Development, of the Buchanan Township Zoning Ordinance.

BOARD MEMBERS	VOTE
REITZ	YES
Chadderdon	YES
NEWSOM	YES
WIGGERS	YES
FERRIS	ABSENT

Resolution adopted.

It was moved by REITZ and supported by NEWSOM that the following Special Use Permit be authorized and issued pursuant to the terms of Article XXVII, Planned Unit Development, of the Township Zoning Ordinance as follows:

1. The Site Plan, Job No. 474-022 dated the 29th day of JUNE, 1990, signed by John G. Kramer, registered land surveyor, together with the metes and bounds description of the property contained therein, a copy of which is attached hereto as Exhibit "A", is hereby adopted and incorporated into this Special Use Permit as part of the terms and conditions of the Special Use Permit.

As modified and initialed, to reflect 12' gravel roads and 20' paved roads.

2. The Township Board reviewed the requirements of Article XXVII, Section 27.04 and also of Section 24.07 of the Township Zoning Ordinance and finds that the Site Plan complies with the standards therein set out.

3. SPECIAL USE PERMIT.

This Special Use Permit, issued pursuant to the provisions of Article XXVII, Planned Unit Development, is subject to the provisions of said Article XXVII, the provisions of the Buchanan Township Zoning and Building Ordinances, and the further specific provisions and restrictions set out below:

A. The Master Deed for Starr Valley Ranch Condominium, recorded with the Berrien County Register of Deeds at Liber 65, Page 1 through 62 provides in Exhibit B one acre parcels of an alternate Site Plan. Said Exhibit B shall be amended by Starr Valley Ranch, Inc. so that the provisions of Exhibit B comply with the provisions of the Site Plan which is attached hereto as Exhibit A, including all structures, lot sizes and other details. Said Amendment to the Master Deed shall be done prior to the issuance of any building permits by Buchanan Township.

Said Master Deed also provides in the second paragraph of Article I on page 3 for the developer and its successors the right to withdraw portions of land without the consent of any other person other than as set forth therein. It is understood and agreed, and specifically provided herein, that any such withdrawal shall not amend, contradict or overrule the provisions and requirements of this Special Use Permit and the Site Plan which is attached hereto as Exhibit A, except as may be authorized by the Buchanan Township Board pursuant to Article XXVII, Planned Unit Development Ordinance and the other Ordinances of Buchanan Township.

B. In order to reduce potential negative impact on Clear Lake water quality, the following conditions and limitations are hereby imposed:

1. The beach shoreline shall not be extended beyond its existing 326.8 feet in length parallel to the shore of Clear Lake.

2. Natural vegetation shall be retained between the remaining shoreline and the row boat marina channel leading to Round Lake as shown on the Site Plan, Exhibit A.

3. Water runoff from man made structures, improvements and construction shall be discharged directly into the ground or retained in retention basins to avoid direct runoff into Clear Lake without going through an underground marsh and/or soil filter medium.

C. To reduce the impact of the site condominium development which provides for several homes using a relatively short shoreline on Clear Lake:

1. Motors on boats launched from the condominium common property are restricted to 8 h.p.* While this is more restrictive than to other property owners on Clear Lake, it is agreed to and encouraged by Starr Valley Ranch, Inc.

2. The access road from the Starr Valley Ranch condominium area through Clear Lake Woods Property Owners Association property shall be provided with a gate with access by emergency vehicles only.

D. The Township Board finds that uses permitted in the "C" commercial district of the Township Zoning Ordinance are not compatible with the residential character of this Planned Unit Development, and uses other than residential are hereby prohibited.

E. Envelopes (meaning land area deeded to individual property owners) shall have a minimum size of 40 feet times 50 feet with a 40 foot minimum space between envelopes. Normal zoning in this agricultural district would require one acre per lot, with 200 foot frontage. In return for the smaller envelope size, land accruing from the foregoing reduction in envelope size requirements shall be perpetually reserved for open space, recreational and conservation purposes by the Starr Valley Ranch, Inc.

F. The provisions and restrictions of this Planned Unit Development Special Use Permit shall apply to the successors and assigns of Starr Valley Ranch, Inc.

* With exception of no more than 2 pontoon boats with maximum of 15 HP motors.

THE MEMBERS OF THE BOARD AND THEIR VOTE ARE AS FOLLOWS:

BOARD MEMBERS	VOTE
REITZ	YES
NEWSOM	YES
WIGGERS	YES
CHADDERDON	YES
FERRIS	ABSENT

Resolution adopted.

This Special Use Permit issued pursuant to the Buchanan Township Planned Unit Development Ordinance is hereby approved and accepted by Starr Valley Ranch, Inc.

STARR VALLEY RANCH, INC.

OWNERS:

Dated: _____, 1990.

_____
RONALD L. BERNS

Dated: _____, 1990.

_____
VINCENT SOLANO, JR.

STATE OF _____)
ss.
COUNTY OF _____)

On this _____ day of _____, 1990, before me, a notary public, personally appeared Ronald L. Berns and Vincent Solano, Jr., Owners of Starr Valley Ranch, Inc., and

on behalf of Starr Valley Ranch, Inc., executed the above document and acknowledged the same to be their free act and deed.

_____
Notary Public
_____ County,_____
My Commission Expires: