



CHARTER TOWNSHIP OF COMMERCE ZONING BOARD OF APPEALS

MEETING AGENDA

Commerce Township Hall

2009 Township Drive

Commerce Township MI 48390

Thursday, July 23, 2026 at 7:00 p.m.

A.	Call to Order
B.	Approval of the Meeting Agenda for July 23, 2026
C.	Approval of Meeting Minutes from March 26, 2026
D.	Public Discussion (on matters for which there is no public hearing scheduled)
E.	Update of Activities in Commerce Township
F.	Old Business – None
G.	New Business – (1)
G1.	PA26-02 – GARY GRIGOWSKI – PUBLIC HEARING Gary Grigowski of Commerce MI is requesting a variance from Article 33 of the Commerce Township Zoning Ordinance to construct a 6-foot privacy fence that will encroach into the required front yard setback and will run parallel with the water's edge located at 4275 Creedmore. PIN# 17-10-451-034
H.	Other Matters to Come Before the Board
I.	Correspondence
J.	Planning Department's Report
K.	Adjournment

Next Regular Meeting Date: SEPTEMBER 24, 2026

CALL TO ORDER

APPROVAL OF AGENDA

APPROVAL OF MEETING MINUTES

DRAFT
CHARTER TOWNSHIP OF COMMERCE
ZONING BOARD OF APPEALS MEETING
Thursday, March 26, 2026
2009 Township Drive
Commerce Township, Michigan 48390

A. CALL TO ORDER: Vice Chairperson Mills called the meeting to order at 5:30pm.

ROLL CALL: Present: Clarence Mills, Vice Chairperson
Robert Mistele, Secretary
Rick Sovel
Caitlin Bearer
Sarah Grever, ZBA Alternate Member
Absent: Rusty Rosman, Chairperson (excused)
Also Present: Paula Lankford, Senior Planner
Bethany Miller, Associate Planner

B. APPROVAL OF MEETING AGENDA

MOTION by Sovel, supported by Mistele, to approve the Zoning Board of Appeals Regular Meeting Agenda for March 26, 2026, as presented.

ROLL CALL VOTE:

AYES: Sovel, Mistele, Mills, Grever, Bearer

NAYS: None

ABSENT: Rosman

MOTION CARRIED UNANIMOUSLY

C. APPROVAL OF MEETING MINUTES:

MOTION by Mistele, supported by Sovel, to approve the Zoning Board of Appeals Regular Meeting minutes of November 20, 2025, & the minutes of January 22, 2026, as written.

ROLL CALL VOTE:

AYES: Mistele, Sovel, Grever, Bearer, Mills

NAYS: None

ABSENT: Rosman

MOTION CARRIED UNANIMOUSLY

D. PUBLIC DISCUSSION (on matters for which there is no public hearing scheduled)

Vice Chairperson Mills opened to public comments.

None.

Vice Chairperson Mills closed to public comments.

E. UPDATE OF ACTIVITIES IN COMMERCE TOWNSHIP:

Rick Sovel – Township Board

- I will keep it short.
- We are working on pathways to go through the Township. We're bringing a pathway millage to the voters in November of this year.

Caitlin Bearer – Planning Commission

- Just two highlights.
- We approved the 5 & Main Tenant Handbook at the last meeting.
- We also approved the first shoppette that will be part of the overall 5 & Main development. It's the second structure after the Dort Credit Union.

F. OLD BUSINESS:

None.

G. NEW BUSINESS:

ITEM G1. 2026 ELECTION OF ZBA OFFICERS

Sovel – Who are the current officers?

Paula Lankford – You have Rusty for Chair, Clarence for Vice, and Bob for Secretary. If you want to retain who you have, you can do one motion. We provided motion language for that if everybody is willing.

Mistele – It's fine with me.

Mills – It's okay with me if it is with everybody else.

Sovel – As long as you guys say yes.

MOTION by Mistele, seconded by Sovel, to retain Chairperson Rusty Rosman, Vice Chairperson Clarence Mills, and Secretary Bob Mistele as the Officers of the Commerce Township Zoning Board of Appeals for the Year of 2026.

ROLL CALL VOTE:

AYES: Mistele, Sovel, Bearer, Mills, Grever

NAYS: None

ABSENT: Rosman

MOTION CARRIED UNANIMOUSLY

ITEM G2. ZONING BOARD OF APPEALS 2026 BYLAWS

Grever – Can I move to approve, or do we have any discussion?

Sovel – Move approval first, then we can hold discussion.

Grever – Okay.

MOTION by Grever, supported by Mistele, to approve the 2026 Commerce Township Zoning Board of Appeals Bylaws as written.

ROLL CALL VOTE:

AYES: Grever, Mistele, Bearer, Mills, Sovel

NAYS: None

ABSENT: Rosman

MOTION CARRIED UNANIMOUSLY

H. OTHER MATTERS:

Sovel – I have just one comment. I'm working with our attorney on modifying criteria for the ZBA.

Mills – When you say criteria for the ZBA, what do you mean? Is that dressing up the language?

Sovel – In terms of for approval of variances and the criteria we go through. It is to deal with some of the issues we have had with people purchasing property where a previous owner did something and now they might have to tear their house down. That's on the extreme side.

Mills – Okay.

I. CORRESPONDENCE:

None.

J. PLANNING DEPARTMENT'S REPORT:

Paula Lankford – You all received a copy of our monthly report. I don't really have much to add to that. Our Planning Commission meeting in April will include a public hearing for an outdoor storage yard on Claranton, and looking at the text amendment again for waterfront accessory structures. We don't have that text yet. We will share it with you if you'd like once we have a draft.

Grever – That would be great. That is a lot of what came up in years prior.

Paula Lankford – Yes, and Jay James, Building Official was looking at making some changes to it to have some allowances for it. There was some discussion at a Planning Commission meeting a couple months ago, and they were receptive to it, so we wanted to see some language.

Mills – Going back to what you said about the property or storage on Claranton, what needs to be looked at, addressed or discussed?

Paula Lankford – It's in the industrial district and any outdoor storage yards require Special Land Use approval because it is more of an intense use than just a factory without outdoor storage. Anytime there's outdoor storage, it ends up being a public hearing. We want to look at buffering, fencing, keeping it screened, et cetera.

Mills – Okay.

K. ADJOURNMENT:

NEXT REGULAR MEETING DATE: THURSDAY, MAY 28, 2026, AT 7:00PM.

MOTION by Grever, seconded by Mistele, to adjourn the meeting at 5:39pm.

ROLL CALL VOTE:

AYES: Grever, Mistele, Sovel, Bearer, Mills

NAYS: None

ABSENT: Rosman

MOTION CARRIED UNANIMOUSLY

PUBLIC DISCUSSION

(on matters for which there is no public hearing scheduled)

UPDATE OF ACTIVITIES IN COMMERCE

OLD BUSINESS

NEW BUSINESS

To: Commerce Township Zoning Board of Appeals (ZBA)

From: Commerce Township Planning Department

Date: July 16, 2026

**RE: PA26-02, Privacy Fence in a waterfront front yard running parallel with the water's edge
4275 Creedmore (Gary Grigowski)**



Request

Two variances to Sec. 33.02 of the Zoning Ordinance relative to a proposed 6-foot fence:

1. A dimensional variance of 2 feet relative to the 4-foot maximum height for a fence in a waterfront front yard; and
2. A variance to allow a fence to encroach 25 feet into the waterfront front yard, running parallel to the water's edge.

Summary

Gary Grigowski has applied for a location and height variance from Section 33.02 of the Commerce Township Zoning Ordinance to construct a solid 6-foot fence in the waterfront front yard running parallel to the water's edge of his residential property at 4275 Creedmore Street (PIN 17-10-451-034). Mr. Grigowski's intent for the proposed fence would be to create privacy between his property and the Mt. Royal subdivision's boat launch and beach. The proposed fence would be a total of 88 linear feet along the southerly portion of the property, mostly parallel to the canal connecting the boat launch to North Commerce Lake. The subject property is .33 acres on the south tail end of Creedmore Street. The property is zoned R-1D (One-Family Residential).

Background

Prior to the Grigowskis purchasing this property, Lots 1 (vacant lot) & 2 (4275 Creedmore) were separate lots within the Frank S. Salter's Mount Royal Country Club subdivision. In April 2022 the previous owner combined both lots into one parcel at 4275 Creedmore thus creating the waterfront front yard in question. The previous owner then applied to split the lots back into their original configuration and were denied, because to split the lots would have been to re-create nonconforming lots that did not meet the minimum lot size for R-1D. They then applied to the Zoning Board of Appeals to request an administrative appeal of the decision by the Planning and Building Departments to recreate platted lots 1 & 2 of the Frank S. Salter's Mount Royal Country Club subdivision. The ZBA affirmed the decision of the Planning Director and Building Official at the ZBA's July 27, 2023 meeting based on the criteria within Section 41.06.C of the Zoning Ordinance. The two lots remain combined.

Included with this report are two exhibits created by the Planning Department; Exhibit A showing where a 6-foot privacy fence could be allowed on the property (with allowable fence location shown in green), and Exhibit B showing where a 4-foot ornamental fence could be allowed on the property (allowable ornamental fence shown in red) based on the applicable standards of

Sec. 33.02 of the Zoning Ordinance. Those exhibits can be compared to that created by Mr. Grigowski's site plan showing where he proposes his 6-foot wooden privacy fence.

Section 33.02.B.1.a of the Zoning Ordinance includes the standards for the permissible style and height for fences in a front yard on residential properties. Only a 4-foot ornamental fence (no more than 50% obscuring and complimentary to the principal structure) is allowed within the front yard of a residential property, and must be a minimum of 25 feet from the front lot line. As such, **in any front yard (roadside or waterfront) only an ornamental fence of up to 4 feet in height is permitted.**

Section 33.02.B.1.e of the Zoning Ordinance includes specific standards for the permissible style and height for fences in a waterfront front yard on residential properties. **Ornamental fences of up to 4 feet that are located in the side yard of a waterfront yard may not encroach into the required water front yard setback**, which is at least 25 feet from the water (or greater depending on the average distance from the water of the homes on either side). **Fences cannot be located parallel to the water's edge** unless for the purpose of enclosing a swimming pool, and pool fences cannot exceed four (4) feet in height. **Obscuring vegetation, hedges, walls, fences or other form of screening shall not be permitted in any required water front yard.** The intent is to limit the potential for fences – particularly tall privacy fences – from obscuring the viewshed of the water/lake from neighboring properties. The ZBA might consider whether the intent of the standards of Sec. 33.02.B.1.e are applicable in relation to a canal leading to a community boat launch.

Mr. Grigowski purchased this property in April of 2025 and at that time there was heavy landscaping and natural vegetation along the southerly portion of the property together with a small section (2 panels) of a privacy fence that collectively provided a buffer from the HOA's boat launch and adjacent beach. The roots and overgrowth from the vegetation was damaging the property's seawall, ultimately requiring that vegetation to be removed. Removing the problematic vegetation created a loss of privacy, and as such, Mr. Grigowski came to the Building Department seeking a fence permit for a 6-foot privacy fence that was denied based on the applicable standards of Sec. 33.02.B. Mr. Grigowski would contend his property is unique in such that he has three front yards (roadside, lakeside, canal side), including two waterfront yards one of which is near a very popular/busy/noisy boat launch and subdivision beach. The property's unique configuration precludes him from achieving a reasonable level of privacy afforded to most homes.

Mr. Grigowski along with his site plan provided pictures of the site before & after the landscaping/vegetation was removed, along with an AI-generated rendering showing the proposed fence (with inclusion of some pretty landscaping that **could be considered as a condition of the ZBA's decision**) installed at his proposed location. The rendering should assist the ZBA in envisioning the impact the proposed fence may have relative to the boat launch and beach area.

Finding of Practical Difficulties

The ZBA has the authority to approve one or both of the dimensional variances as requested, approve the variance with conditions, approve a lesser variance than that requested, or deny the variance request. The decision of the ZBA must be based upon a finding of whether the applicant's request for a dimensional variance is based upon the existence of practical difficulties. Section 41.09 of the Commerce Township Zoning Ordinance includes the criteria by which the ZBA is to make a finding of practical difficulties. Section 41.09.A reads as follows:

Section 41.09.A – Dimensional Variances

The granting of a variance from particular area, setback, frontage, height, bulk, density or other dimensional (non-use) standards of this Ordinance shall require a finding of practical difficulties, based upon the following criteria:

1. *Strict compliance with the specified dimensional standard(s) will deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district, create an unnecessary burden on the applicant, or unreasonably prevent the owner from using the property for a permitted purpose.*
2. *The variance will do substantial justice to the applicant, as well as to other property owners, and a lesser variance than requested will not give substantial relief to the applicant or be consistent with justice to other property owners.*
3. *The need for the variance is due to unique circumstances peculiar to the land or structures involved that are not applicable to other land or structures in the same district.*
4. *The problem and resulting need for the variance has not been self-created by the applicant or the applicant's predecessors.*
5. *The variance will not cause significant adverse impacts to adjacent properties, the neighborhood or the Township, and will not create a public nuisance or materially impair public health, safety, comfort, morals or welfare.*
6. *The alleged hardship and practical difficulties that will result from a failure to grant the variance include substantially more than mere inconvenience, or an inability to attain a higher financial return.*

Planning Department Recommendation

The ZBA should discuss the six criteria above, and determine whether either of the applicant's dimensional variance requests satisfies them. The ZBA minutes should clearly demonstrate that the criteria were specifically discussed. A variance should only be granted on a finding of practical difficulties based on a satisfaction of the criteria. The ZBA has the option to ask questions of the applicant regarding any and all of the criteria as a means of making an informed finding. The ZBA may also take into consideration the applicant's letter, which includes Mr. Grigowski's rationale for satisfying the criteria. The ZBA has been provided suggested motion language by the Township Attorney, and should utilize that language to the extent possible for any action they choose to take.

The Planning Department will be happy to provide further information as needed at the ZBA's July 23, 2026 meeting.

CHARTER TOWNSHIP OF COMMERCE APPLICATION FOR ZONING BOARD OF APPEALS

OFFICE USE ONLY

DATE: 6-24-2026

CASE# PA 26-02

HEARING DATE: 7-23-2026

ZONING DISTRICT R-1D

APPLICANT'S NAME: Gary Grigowski

PHONE: 517-474-4150 FAX: _____

ADDRESS: 4275 Creedmore Street

CITY/ZIP: Commerce Twp 48382

EMAIL: Gary.Grigowski@Gmail.com

OWNER'S NAME: Gary Grigowski

PHONE: 517-474-4150 FAX: _____

ADDRESS: 4275 Creedmore Street

CITY/ZIP: Commerce Twp 48382

ADDRESS OF SUBJECT PROPERTY: 4275 Creedmore Street

LOT# _____

SIDWELL NUMBER: E-17-10-451-034

SUBDIVISION: Frank S. Salter's Mount Royal Country Club

WATER:

☐ PUBLIC WATER

☒ WELL

SEWAGE:

☒ PUBLIC SEWER

☐ SEPTIC

THE APPLICANT HEREBY REQUESTS A HEARING BEFORE THE COMMERCE TOWNSHIP BOARD OF ZONING APPEALS FOR THE PURPOSE INDICATED BELOW:

☒ Ordinance or Map Interpretation

☐ Dimensional Variance

☐ Appeal of an Administrative Decision

DETAILS OF REQUEST:

Approve a variance to allow Installation of wooden fence along HOA boat launch

IF YOU ARE APPLYING FOR A DIMENSIONAL VARIANCE, PLEASE SEE THE ATTACHMENT LISTING THE CRITERIA FOR OBTAINING A DIMENSIONAL VARIANCE. THE APPLICANT MUST SUBMIT A LETTER STATING THE REASON(S) FOR THE REQUEST, AND ADDRESS THE APPLICABLE REVIEW CRITERIA SPECIFIED IN THE ZONING ORDINANCE FOR THE TYPE OF REQUEST.

I understand that, if the request is approved, I am in no way relieved from all other applicable requirements of the Township Zoning Ordinance. I understand that approval of a dimensional variance becomes null and void if not used within one year from the date of issuance. I further understand that representatives of Commerce Township will be entering my property as part of their review of this request.

APPLICANT'S SIGNATURE: _____

DATE: 6/24/26

OWNER'S SIGNATURE: _____

DATE: 6/24/26

SEE ATTACHED INFORMATION FOR THE SUBMITTAL OF YOUR APPLICATION/REQUEST



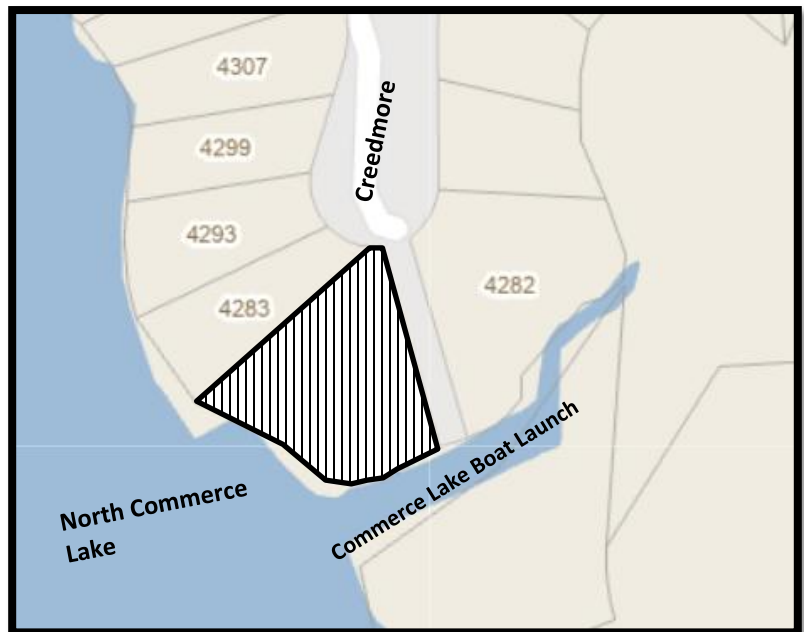
CHARTER TOWNSHIP OF COMMERCE ZONING BOARD OF APPEALS NOTICE OF PUBLIC HEARING

Notice is hereby given that the Commerce Township Zoning Board of Appeals will conduct a public hearing in the Oak Conference Room of the Commerce Township Hall, located at 2009 Township Drive, Commerce Township, Michigan, for the purpose of hearing the following petition, on **THURSDAY, JULY 23, 2026 at 7:00 p.m.**

PA26-02

Gary Grigowski of Commerce MI is requesting a variance from Article 33 of the Commerce Township Zoning Ordinance to construct a 6-foot privacy fence that will encroach into the required front yard setback and will run parallel with the water's edge located at 4275 Creedmore.

Sidwell No.: 17-10-451-034



The proposed application and site plan, as well as the Commerce Township Zoning Ordinance and Zoning Map, are available for public inspection in the Planning Department during regular office hours, or on the Township's website at commercetwp.com. Public comment will be taken in writing in the Planning Department until the close of business on the date of the hearing, or in person at the public hearing. For further information, please contact the Commerce Township Planning Department at (248) 960-7050.

David Campbell, AICP
Commerce Township Planning Director

Gary Grigowski
4275 Creedmore St
Commerce Township, MI 48382

Zoning Board of Appeals
Commerce Township
2009 Township Drive
Commerce Township, MI 48390

Dear Members of the Zoning Board of Appeals,

I am writing to request a variance to allow me to construct a six-foot wooden privacy fence along the side yard of my property that is adjacent to the boat launch for the HOA. When we purchased this property last year, there was ample privacy from the HOA boat launch and adjacent beach provided by an existing fence section as well as large trees and heavy vines. This spring we began a cleanup as we intended to use this area for raised herb beds for my wife and a fairy garden for our granddaughter. It was at this point that we discovered that some of these large trees had been allowed to grow up right next to the seawall. Also, the heavy vines had been allowed to grow through the fence and were beginning to break it apart. To protect the long term integrity of the seawall, we had the problematic trees removed. We then sought a building permit to construct a fence along the boat launch to restore the privacy we had but were rejected per the attached denial. I believe my property is uniquely situated as the only home next to both a boat launch and beach and that the area of proposed fence construction is neither FRONT yard nor WATERFRONT in the strictest sense.

I have included several photos for clarification. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Grigowski', written over the word 'Sincerely,'.

Gary Grigowski

Cell: 517-474-4150

LEGEND

EXISTING GRADE
EXISTING CONTOUR
EXISTING STORM SEWER
EXISTING SANITARY SEWER
EXISTING WATERWAY
EXISTING GAS MAIN

Notes:

1. ALL EXISTING UTILITIES SHOWN ON THIS TO HAVE BEEN TAKEN FROM VISUAL OBSERVATION, MAPPING, WHERE AVAILABLE. NO GUARANTEE SHOULD BE ASSUMED, AS TO THE COMPLETENESS OF THE UTILITIES SHOWN ON THIS DRAWING. THIS INFORMATION SHALL FIELD VERIFY THE COMPLETENESS OF OVERHEAD AND UNDERGROUND PRIOR TO CONSTRUCTION ACTIVITIES.
2. BUILDER/DEVELOPER IS RESPONSIBLE FOR BUILDING SETBACKS.

**Property is Zoned R-1D
One Family Residential**

One Family Residential:
FRONT - 25 FEET
SIDE - 4 FEET ONE SIDE, TOTAL OF TWO - 14 FEET
REAR - 35 FEET
LAKESIDE - THE WATERFRONT SETBACK FOR A W

FRONTAGE LOT SHALL BE NO LESS THAN MINIMUM FRONT YARD REQUIREMENT ZONING DISTRICT IN WHICH THE LOT IS A SETBACK OF GREATER DEPTH THAN SPECIFIED EASES ON ADJACENT LOTS. TIME OF PASSAGE OF THIS ORDINANCE REQUIRED MINIMUM SETBACK SHALL BE GREATER THAN THE AVERAGE SETBACK OF THE ON THE ADJACENT LOTS. A SETBACK GREATER THAN FIFTY (50) FEET SHALL BE REQUIRED UNLESS THE AVERAGE SETBACK OF THE WATER LINE IS MORE THAN FIFTY FEET. BECAUSE THIS DISTRICT IS A COMMON OUTLOT, CONDOMINIUM COMMON AND OTHER CONJUNCTIONAL PROPERTY SEPARATE WATER FRONTAGE LOT FROM THE WATER

NORTH:
44255 - 47.1 FEET
EAST:
44252 - 22.8 FEET (OAKLAND CO.)
TOTAL 69.1 FEET
 $69.1 / 2 = 34.55$
USE 34.6 FEET AS LAKE SIDE

MINIMUM FEET BETWEEN DWELLINGS - 18 FEET
MINIMUM WIDTH - 10 FEET
MINIMUM AREA - 7,200 SQ. FT
MAXIMUM COVERAGE - 11 PERCENT

BENCHMARK
94275 SANITARY SERVICE 1001
ELEVATION - 910.50 NAVD 83

This is to certify that Chandrasekhar, a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL 17 10 451-010
LOT 2, BLOCK 14, "TRAILS & SADDLES MOUNT ROYAL COUNTRY CLUB" A SUBDIVISION OF PART OF SECTION 18,
T2N, 48E, COMMERCIAL TOWNSHIP, OAKLAND COUNTY, MICHIGAN, AS RECORDED IN BOOK 48 OF PLATS, PAGES
1, 14, 18, 19 & 20, OAKLAND COUNTY RECORDS.

PARCEL 17-10-451-011
LOT 1, BLOCK 14, "PARKS & BALZERS MOUNT RURAL COUNTRY CLUB" A SUBDIVISION OF PART OF SECTION 18,
T1N. 44N. CO. 46E. R. 2E. S. 10E., DAKOTA COUNTY, MINNESOTA AS RECORDED IN BOOK 45 OF PLATS, PAGES
1, 14, 15, 20 & 21, DAKOTA COUNTY RECORD.

BOUNDARY / TOPOGRAPHIC SURVEY
PARCEL NO 17-10-451-010 & 17-10-451-011

17-10-451-008

17-10-451-009

2
17-10-451-010

Lots 1 & 2
To Be Combined
15,005 Sq. Ft.

17-10-451-011

North
Commerce
Lake

Proposed fence location

PROPRIETOR:
ALMA FASSEL

THIS DRAWING IS THE PROPERTY OF KIEPT
REVENGEWORKS, INC. AND MAY NOT BE USED,
REPRODUCED OR PUBLISHED IN PART OR



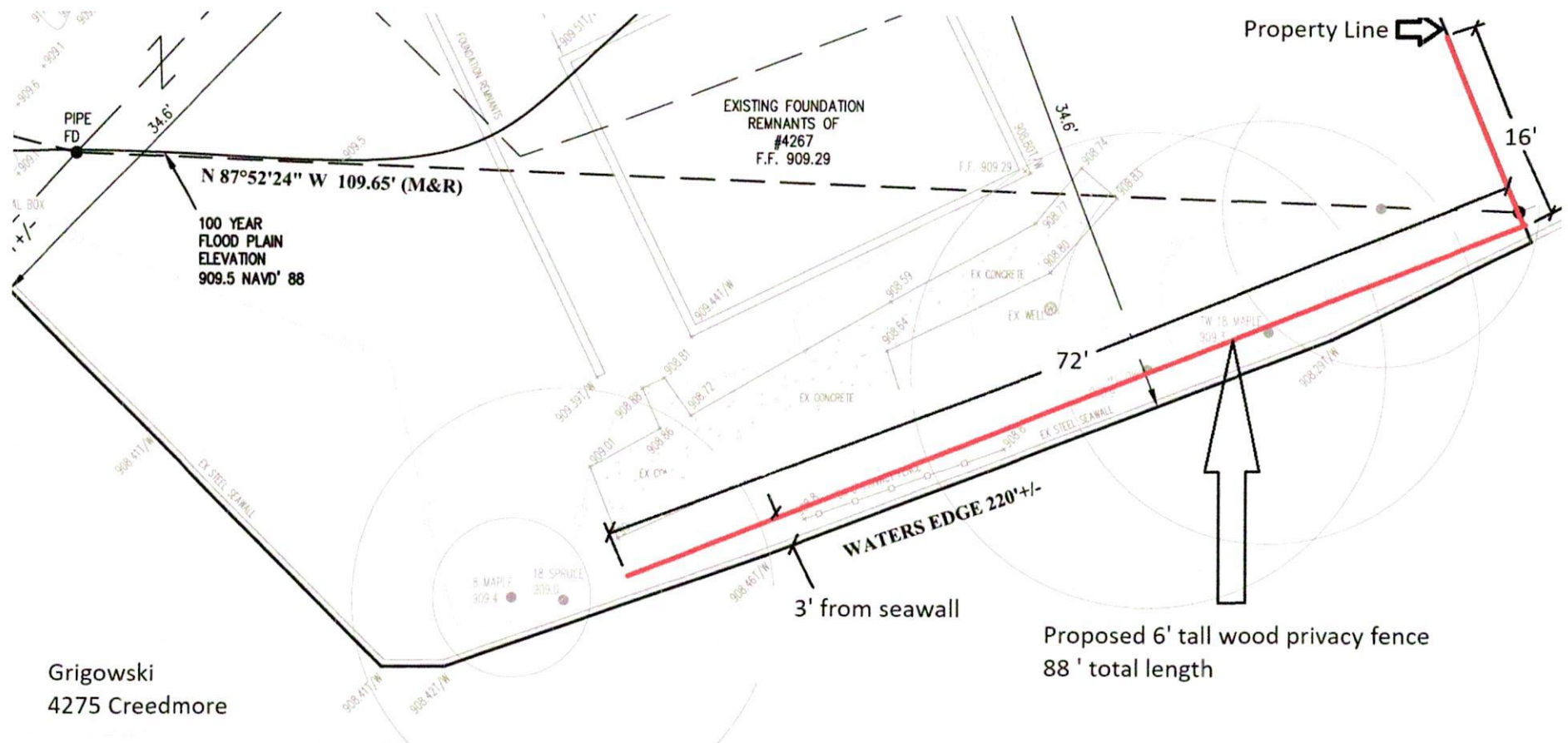
KIEFT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS
10000 15th Avenue, Suite 100, Richmond, BC V6V 2G9, Canada
Tel: (604) 273-8888 Fax: (604) 273-8889 Email: info@kiefertech.com

DATE: 3-4-2022	CHECK BY:	DATE:
DRAWN BY:		
DEPOSIT BY:		



72 -HOURS
(2 business days)
REFUND: NO! NO!
CALL 888-555-000
1-800-452-7171 1

BOUNDARY / TOPOGRAPHIC SURVEY
PARCEL NO. 17-10-451-010 & 17-10-451-011



PROPRIETOR: ANITA FRICK 4275 CREAMORE ST. COMMERCE, MI 48602 (734) 718-2495		THIS DRAWING IS THE PROPERTY OF KIEFT ENGINEERING, INC. AND MAY NOT BE USED, REPRODUCED OR PUBLISHED, IN PART OR IN WHOLE, WITHOUT EXPRESSED WRITTEN PERMISSION FROM KIEFT ENGINEERING, INC.				KIEFT ENGINEERING, INC. PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS 5852 SOUTH MAIN STREET, SUITE 1, CLARKSTON, MICHIGAN 48346 PHONE (248) 672-5271 www.kiefteng.com FAX (248) 972-7110		DATE 3-6-2022 CKD. BY DATE DRAWN BY CHECKED BY SECTION 10 7-2 -R- R-2-E				72 HOURS 60 HOURS 30 DAYS 90 DAYS CALL LARS DOD 800-467-7171 (TOLL FREE)		BOUNDARY / TOPOGRAPHIC SURVEY PARCEL NO. 17-10-451-010 & 17-10-451-011 COMMERCIAL TOWNSHIP, OAKLAND COUNTY, MICHIGAN		SCALE 1" = 10' SHEET 1 OF 1 KE 2021.387	
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Exhibit B

4' Ornamental

Creedmore St.

LOCATION MAP
NOT TO SCALE

LEGEND

EXISTING GRADE
EXISTING CONTOUR
EXISTING STORM SEWER
EXISTING SANITARY SEWER
EXISTING WATERMAIN
EXISTING GAS MAIN

Notes:

- ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION, AND RECORD MAPPING, WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY THE ACCURACY AND COMPLETENESS OF OVERHEAD AND UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION ACTIVITIES.
- BUILDER/DEVELOPER IS RESPONSIBLE FOR CONFIRMING BUILDING SETBACKS.

Property is Zoned R-1D One Family Residential:

FRONT - 35 FEET
SIDE - 4 FEET ONE SIDE, TOTAL OF TWO - 14 FEET
REAR - 35 FEET
LAKESIDE - THE WATERFRONT SETBACK FOR A WATER FRONTAGE LOT SHALL BE NO LESS THAN THE MINIMUM FRONT YARD REQUIREMENT FOR THE ZONING DISTRICT IN WHICH THE LOT IS LOCATED. IF A SETBACK OF GREATER DEPTH THAN SPECIFIED EXISTS ON ADJACENT LOTS AT THE TIME OF PASSAGE OF THIS INSTRUMENT, THEN THE REQUIRED MINIMUM SETBACK SHALL NOT BE LESS THAN THE AVERAGE SETBACK OF THE DWELLINGS ON THE ADJACENT LOTS. A SETBACK OF A DEPTH GREATER THAN FIFTY (50) FEET SHALL NOT BE REQUIRED UNLESS THE AVERAGE SETBACK FROM THE WATER LINE IS MORE THAN FIFTY FEET (50) BECAUSE THERE IS AN INTERVENING SUBDIVISION OUTLOT, CONDOMINIUM COMMON AREA OR OTHER COMMUNAL PROPERTY SEPARATING THE WATER FRONTAGE LOT FROM THE WATER'S EDGE.

NORTH
44.93' - 47.1 FEET
EAST
84.53' - 110.0 FEET (OAKLAND COUNTY GIS)
TOTAL 89.1 FEET
69.1 / 2 = 34.55
USE 34.6 FEET AS LAKESIDE SETBACK

MINIMUM FEET BETWEEN DWELLINGS - 10 FEET
MINIMUM WIDTH - 30 FEET
MINIMUM AREA - 7,200 SQ. FT.
MAXIMUM COVERAGE - 35 PERCENT

BENCHMARK

4475 SANITARY SERVICE MI
ELEVATION - 918.39 NAVD 83

This is to certify that I, [Signature], a Professional Land Surveyor, have this date made a survey of a parcel of land described as follows:

PARCEL 17-10-451-010
LOT 2, BLOCK 14, "FRANK S. SILVER'S MOUNT ROYAL COUNTRY CLUB" A SUBDIVISION OF PART OF SECTION 16, T2N, R1E, COMMERCIAL TOWNSHIP, OAKLAND COUNTY, MICHIGAN AS RECORDED IN LIBER 49 OF PLATS, PAGES 1, 14, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 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1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033



View towards boat launch / beach from summer 2025



Current view towards boat launch / beach



Trees against seawall



Current view from beach to 4275 Commerce side yard



Rendering of Fence from HOA Beach



Rendering of Shadowbox Fence
Not to scale

OTHER MATTERS

Correspondence

PLANNING DEPARTMENT REPORT

To: Commerce Township Board of Trustees

From: Commerce Township Planning Department
David Campbell, AICP – Planning Director
Paula Lankford – Senior Planner
Bethany Miller – Associate Planner

Date: July 7, 2026

RE: May 2026 Monthly Planning Department Report
(covering June 4, 2026 through July 6, 2026)



Development updates

- **Wingate Preserve conditional rezoning (NE corner of Commerce & Carey)** – Commerce Carey LLC (Mark Kassab, Jim Galbraith, et al.) has owned the undeveloped 42 acres at the northeast corner of Commerce & Carey Roads for decades, and in 2025 purchased the adjacent undeveloped 33 acres. The 75 combined acres is currently zoned R-1A. Consistent with the procedures of Article 36 of the Zoning Ordinance, the developer has petitioned for a conditional rezoning of the property from R-1A to R-1D to develop Wingate Preserve. R-1A zoning requires lots that are at least 20,000 sq ft with a minimum of 100 feet of road frontage, while R-1D requires lots of a minimum of 7,200 sq ft and 50 feet of road frontage. The developer's rationale for proposing the smaller lots of R-1D is the preservation of natural green space throughout the development, particularly along its perimeter where existing natural features could be preserved and serve as a natural buffer between new and existing neighborhoods. Two new points of access are proposed; one along the north side of Commerce Rd and the other along the east side of Carey Road. The original conditional rezoning plan proposed 168 dwelling units. The Planning Commission held a public hearing for the conditional rezoning during their regular meeting on June 1, 2026. Upon hearing the comments during the public hearing, and the discussion of the Planning Commissioners, the petitioner requested the Planning Commission table any action to the PC's July 6 meeting. Between the June 1 and July 6 meetings, the petitioner submitted a revised conditional rezoning plan that reduced the number of proposed units from 168 to 148, with fewer 60-foot wide lots and more 70-foot or greater lots. This change created an increase in preserved greenspace from 22.95 acres to 25.5 acres (approx. 34% of the 75-acre site). Based on the revisions to the conditional rezoning plan, the Planning Commission by a 4-3 vote made a formal recommendation to the Township Board to approve the conditional rezoning for Wingate Preserve. The conditional rezoning petition will now advance to the Township Board for a final decision, and will be included on the Board's agenda for July 14, 2026.
- **Northern Pointe (fka Bogie Lake Residential)** – Jim Maher of Bogie Lake Holdings received Township Board approval on May 12 of a conditional rezoning petition for an assemblage of seven properties on the south side of Bogie Lake Road between Walled Lake Northern High School and the Westlake Health Campus (just west of the tandem roundabouts at Bogie-Cooley-Oxbow Lake Roads). The seven properties total approximately 15 acres and

were conditionally rezoned to R-1D (One-Family Neighborhood Residential) with a new neighborhood of 46 new single-family homes. Mr. Maher attended the Planning Commission meeting on July 6 where he received a formal recommendation for approval to the Township Board of the condominium site plan based on a finding that the plan was a fully-developed evolution of the approved conditional rezoning plan. Mr. Maher will now proceed to the Township Board for consideration at the Board's meeting on July 14 for final approval of the condominium site plan and master deed.

- **Union Lake and Wise Road** – The development team of U Wise LLC has been working with the Planning Department on developing a portion of the 65 acres at the southwest corner of Union Lake and Wise Roads, including the former Union Lake Golf Course and Sally's Barn. The prospective developer proposes a collection of commercial buildings concentrated upon approx. 15 acres at the southwest corner including two multi-tenant / restaurant buildings (including a drive-through on each), an automated car wash, and an 80,000 sq ft grocery store w/ pharmacy. The remainder of the former golf course consisting of approximately 50 acres would be donated to Commerce Township as an extension of Victory Park. The development team hosted a kickoff meeting with neighboring residents along Golf Lane where they presented their concept plan and received feedback. What those residents were likely relieved to hear was that the developer is not proposing to develop the golf course property with hundreds of apartments, which had been a longstanding rumor. Given the complexities involved, not the least of which will include all the State/EGLE permits necessary for daylighting the Hayes Creek, filling a portion of regulated wetlands, and creating a new larger wetland near the center of the former golf course to mitigate that which was filled, the developer is likely to propose the project as a brownfield consistent with the State's Brownfield Redevelopment Act. The project will also likely be pursued as a planned unit development (PUD). Given the complexities of such an ambitious project, the development team requested a special Planning Commission meeting to discuss the concept plan and get the Planning Commission's informal and non-binding comments prior to pursuing a formal PUD submittal. That special Planning Commission meeting will take place on July 13 at 5:30 p.m.
- **Oakley Park Business Campus** – Jon Stewart with SPS Investments is proposing to develop two vacant parcels located along the south side of Oakley Park Road between Martin Road and Haggerty Road. The two lots are zoned TLM (Technology Light Manufacturing). The proposed development will include two phases; phase 1, Commerce Modern Warehouse, includes 70 attached for lease warehouse units within three buildings that are targeted towards high-standard professionally managed business warehouse suites. Phase 2, Commerce Flex, has for lease adaptable flex-spaces of 22 attached units within two buildings. Commerce Flex units include office space, showroom, light warehouse, and a private restroom. Both phases will include lease agreements to include provisions for permitted uses and establishing enforcement for violations. Site access is proposed via two new full-access driveways along the south side of Oakley Park Road and two new full-access driveways along the north side of Ridgeway Court. Mr. Stewart is also seeking a Use Determination from the Planning Commission to determine whether the "warehouse suites" within phase 1 can be considered a use consistent with "warehouse or wholesale

establishment within a wholly enclosed building” a use listed as a special land use within the TLM (Technology Light Manufacturing) district. A concept plan was presented at the Planning Commission meeting on July 6 for their non-binding and informal comments, the Planning Commission gave mostly favorable comments and wanted to review the use determination further before making any decisions.

- **The Learning Experience** – Joey Jonna of Jonna Construction is proposing to develop a 10,000 sq ft school/daycare, The Learning Experience, on 4.4 acres of undeveloped property on the south side of W. Wise Rd. just west of Carroll Lake Rd. This property is currently zoned R-1C (One Family Residential) and while it does allow for family daycare (up to 6 children) or special land use for group daycare (up to 12 children), a childcare center of greater than 12 children is not a permitted use in R-1C. Mr. Jonna is exploring the potential to rezone a portion of the property to a zoning district that allows childcare centers, such as O - Office. The southerly portion of the parcel would remain R-1C to accommodate three single-family lots. A concept plan was presented at the Planning Commission meeting on July 6 for their non-binding and informal comments, the Planning Commission had concerns with traffic, the proximity to the adjacent neighborhoods and the need for another daycare use so close to two existing daycares along Wise Road.
- **Luai’s Automotive** – Luai Poota with Luai’s Automotive has submitted a Special Land Use application for auto repair at 4224 Martin Road. This location is zoned TLM (Technology Light Manufacturing) and auto repair is permitted as a special land use when operated in a completely enclosed building and meeting the requirements of Section 26.303. They would be utilizing the existing building with no outside storage. He is seeking limited after-hours tow drop off in a designated area, vehicles will be moved indoors during normal business hours. A public hearing is scheduled for the Planning Commission’s August 10 meeting.
- **Squeals Landscaping** – David Biel of Squeals Landscaping located at 4184 Pioneer Dr is exploring combining his two parcels, lots 32 & 30 of the Homestead Industrial Park, to add a parking lot and extend his outdoor storage of landscape materials. Mr. Biel’s two properties are zoned TLM (Technology Light Manufacturing) and outdoor storage is a special land use within the TLM zoning district and only permitted in the rear yard. Mr. Biel is hoping to have his proposal submitted in time to be included on the Planning Commission’s August 10 meeting for the required public hearing.

Zoning Map & Zoning Ordinance Amendments

- **Wingate Preserve conditional rezoning** – Please see above
- **Commerce Lake Market** – The Planning Commission will potentially hold a public hearing during their regular meeting on August 10, 2026 for a conditional rezoning to rebuild/expand the Commerce Lake Market near the northeast corner of Glengary & Benstein Roads to include a new 4-pump (8-nozzle) fuel center under a fueling canopy. Two properties – the existing Commerce Lake Market and the existing home at 2750 Benstein – are proposed to be rezoned to B-3 (General Business) to potentially allow for a fuel center as a special land use. Owner Steve Bakko is awaiting completion by a third party of market study that he hopes will demonstrate to the Planning Commission a “documented and immediate need” for the proposed fuel center, which is required for

any special land use. The traffic impact study recommends the existing center left-turn lanes along the northerly leg of Benstein and easterly leg of Glengary be extended to provide additional storage for vehicles turning left into the proposed new store. Mr. Bakko hopes that the new/bigger/better store would function more as a neighborhood market than as a party store, offering hot/prepared foods and more grocery options.

- **Data centers** – The Planning Department had a preliminary discussion with both the Township Board (on April 28) and with the Planning Commission (May 4) about a prospective series of amendments to the Township Zoning Ordinance to address the appropriate zoning district(s) and development standards for if & when a large data center is proposed within the Township. Based on those discussions and the direction provided, the Planning Department – with assistance from the Township Attorney and Township Engineer – drafted language for the Zoning Ordinance amendments for consideration and action by the PC and the TB in the near future. The Township Board will consider a four-month extension of the six-month moratorium on data centers (adopted in February 2026, expiring in August 2026) at their July 14 regular Township Board meeting, taking the moratorium to December 2026. By that time, the Planning Department expects that the Planning Commission and Township Board will have adopted the new standards for data centers within the amended Zoning Ordinance. In the meantime, Commerce Township has received no proposal or inquiries for a new data center in Commerce Township. The intent is to have standards in place for if & when a data center is proposed.

Zoning Board of Appeals (ZBA)

The next regular ZBA meeting scheduled for July 23, 2026 will include the following:

- A variance request for 4275 Creedmore to construct a 6-foot privacy fence that will encroach into the required front yard setback and will run parallel with the water's edge.

Planning Commission

The Planning Commission's regular meeting on July 6, 2026 included the following:

- The PC removed from the table and made a recommendation to the Township Board to approve Wingate Preserve a conditional rezoning of two properties on the northeast corner of Commerce & Carey Roads (detailed above).
- Review and a recommendation to the Township Board to approve a site condominium site plan, Northern Pointe (fka Bogie Lake Residential), a single-family development of 46 new homes on the south side of Bogie Lake Road between Walled Lake Northern High School and the Westlake Health Campus (detailed above).
- The PC gave their informal and non-binding comments during a conceptual plan review and use determination of the Oakley Park Business Campus, a development of light industrial warehouse suites on two parcels located on the south side of Oakley Park between Martin Road and Haggerty Road (detailed above).
- The PC gave their informal and non-binding comments during a conceptual plan review of The Learning Experience, a proposed 10,000 sq ft daycare center on the south side of W Wise Road and west of Carroll Lake Road (detailed above).

The Planning Commission will hold a special meeting on July 13, 2026 which will include the following:

- U Wise LLC is holding a special meeting for a conceptual review for a retail center at the southwest corner of Wise Road and Union Lake Road with a donation of the remaining approximately 50 acres of land to the Township to be preserved as passive recreation (detailed above).

The Planning Commission's regular meeting on August 10, 2026 could potentially include the following:

- A public hearing for Commerce Lake Market for a conditional rezoning of two properties on the east side of Benstein north side of Glengary Road (as discussed above)
- A public hearing for Squeals Landscaping for a Special Land Use of outdoor storage in the TLM (Technology Light Manufacturing) district located at 4184 Pioneer Drive (as detailed above).
- A public hearing for Luai's Automotive for a Special Land Use of auto repair in the TLM (Technology Light Manufacturing) district located at 4224 Martin Road (as depicted above).
- Introduction of prospective language for amendments to the Township Zoning Ordinance to address the appropriate zoning district(s) and development standards for if & when a large data center is proposed within the Township (as described above).

ADJOURNMENT