



# Village of Elk Rapids

315 Bridge Street  
P.O. Box 398  
Elk Rapids, MI 49629-0398

Phone: 231-264-9274  
Fax: 231-264-6337

**To:** Village of Elk Rapids Council

**From:** Kyle Storey – Planning and Zoning Administrator

**Date:** November 9, 2020

**Re:** Small Wine Maker License request – 135 Ames Street

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Honorable President Janisse and Village Council,

A request for a Small Wine Maker license and on-premise tasting room license has been received for the parcel addressed 135 Ames Street. For this request to be determined by the Michigan Liquor Control Commission (MLCC), it must first obtain local Government Approval which is why it is before the Council at the November 16<sup>th</sup> meeting.

The Michigan Liquor Control Commission's Small Wine Maker License is a manufacturing tier license, which does not have quota limitations. The associated On-Premises Tasting Room Permit for the manufacturing license also does not have quota limitations. Due to legislation enacted on December 19, 2018, all manufacturer locations that will have retail sales or samples of the products manufactured on the licensed premises must be approved for and issued an On-Premises Tasting Room Permit. The On-Premises Tasting Room Permit allows the licensee to be able to sell or give away samples of the products manufactured to customers on the licensed premises.

The MLCC defines a Small Wine Maker License as a "license issued by the Commission to manufacture up to 50,000 gallons of wine annually. A Small Wine Maker may obtain additional small wine maker or other manufacturing licenses for facilities located in Michigan. Total combined production of all locations may not exceed 50,000 gallons per year. Small Wine Makers may sell wine to licensed wholesalers, licensed retailers, or directly to consumers in an approved tasting room located on the manufacturing premises that has been issued an On-Premises Tasting Room Permit for consumption on or off the premises and may sell or give away samples of products it manufactures for consumption on the premises in an approved tasting room. An investigation by the Commission's Enforcement Division is required along with local governmental approval if the licensee is also requesting an On-Premises Tasting Room Permit. Annual license fee is \$25.00."



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The Zoning for this parcel is B-3 – Commercial District. This district allows for eating and drinking establishments less than or equal to 3,000 square feet as a 'Use allowed by Right' as showcased in Section 405, District Table of Permitted Use Summary. Parking required for this use as defined by the table of off-street parking requirements in the Zoning Ordinance under 'Retail Stores and Commercial Uses not otherwise listed in table' as "One (1) per 300 square feet of floor area" which will be worked through with applicant.

Following this memo, you will find the Local Government Approval form necessary to fill out for the applicant to proceed with this request as well as MLCC Michigan Small Wine Maker Requirements and General Information for your review.

Please reach out if you have any questions about this proposal.

Thank you,

**Kyle Storey**

Planning and Zoning Administrator





**Local Government Approval**  
(Authorized by MCL 436.1501)

**Instructions for Applicants:**

- You must obtain a recommendation from the local legislative body for a new on-premises license application, certain types of license classification transfers, and/or a new banquet facility permit.

**Instructions for Local Legislative Body:**

- Complete this resolution or provide a resolution, along with certification from the clerk or adopted minutes from the meeting at which this request was considered.

At a Regular meeting of the Village of Elk Rapids council/board  
(regular or special) (township, city, village)  
called to order by \_\_\_\_\_ on 11/16/20 at \_\_\_\_\_  
(date) (time)  
the following resolution was offered:

Moved by \_\_\_\_\_ and supported by \_\_\_\_\_

that the application from Le Bos LLC., DBA BOS Wine (a California Limited Liability Company)  
(name of applicant - if a corporation or limited liability company, please state the company name)

for the following license(s): Small Wine Maker, On-Premises Tasting Room Permit  
(list specific licenses requested)

to be located at: 135 Ames Street Elk Rapids, MI 49629

and the following permit, if applied for:

☐ Banquet Facility Permit Address of Banquet Facility: \_\_\_\_\_

It is the consensus of this body that it \_\_\_\_\_ this application be considered for  
(recommends/does not recommend)  
approval by the Michigan Liquor Control Commission.

If disapproved, the reasons for disapproval are \_\_\_\_\_

**Vote**

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

I hereby certify that the foregoing is true and is a complete copy of the resolution offered and adopted by the  
council/board at a \_\_\_\_\_ meeting held on \_\_\_\_\_ (township, city, village)  
(regular or special) (date)

Print Name of Clerk

Signature of Clerk

Date

Under Article IV, Section 40, of the Constitution of Michigan (1963), the Commission shall exercise complete control of the alcoholic beverage traffic within this state, including the retail sales thereof, subject to statutory limitations. Further, the Commission shall have the sole right, power, and duty to control the alcoholic beverage traffic and traffic in other alcoholic liquor within this state, including the licensure of businesses and individuals.

Please return this completed form along with any corresponding documents to:

Michigan Liquor Control Commission

Mailing address: P.O. Box 30005, Lansing, MI 48909

Hand deliveries or overnight packages: Constitution Hall - 525 W. Allegan, Lansing, MI 48933

Fax to: 517-763-0059



**William Cooper**

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**From:** teri kuffner <tkuff@yahoo.com>  
**Sent:** Tuesday, November 10, 2020 9:52 AM  
**To:** Jim Janisse; William Cooper  
**Cc:** Elaine Glowicki; Doug Bronkema; Michael Toscano; Melissa West; Barb Mullaly; Trisha Perlman; David Centala; Kyle Storey; scott@envlaw.com  
**Subject:** 106 Oak Parking  
**Attachments:** IMG\_8996.PNG; IMG\_8820.jpg; IMG\_8975.jpg

Mr Janisse, Mr Cooper,

We wanted to update you on the B & B at 106 Oak St. Operations continue. Safety concerns still exist. Parking is still a major concern. Currently, the garage is not being used for parking purposes. This past weekend 4 guest cars parked in the driveway, one guest car parked in front of the ADU (total of five guest cars!) and the "inkeeper" parked on the EAST side of Oak St. in the adjacent neighborhood. This has now happened on several occasions not just this last weekend! (Pictures attached)

They should be using the garage for parking! Two cars should not be in the street. The council needs to remove the one street spot that the B&B was TEMPORARILY given. There should be no overflow parking across Oak.

Be aware that Ordinance 6-77 is now in effect prohibiting on-street parking from 3:00 a.m.-6:00 a.m Nov 1 of each year to April 1. These cars need to be ticketed. The Ordinance needs to be enforced. Warnings have no meaning to this owner.

There should be an injunction filed to CLOSE this business until a court decision has been made.

Please place this "correspondence" on the Council Agenda for permant record.

Thank you for your attention to this ongoing matter.

David & Teri Kuffner

Pictures of three different days of the innkeepers car park across the street with a guest car parked in frount of the ADU











