



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, FEBRUARY 17, 2021 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Delana, Lyon
ABSENT: Thompson
STAFF: Mike Turisk, Jen Merk
GUESTS: Brian Fullford, Eric Boyd, John Moore, Steve Warfield

The meeting was called to order by Chairperson Croft at 7:00pm.

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

The meeting agenda was presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson)

APPROVAL OF MINUTES

The February 3, 2021 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Kavanaugh, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson)

SCHEDULED PUBLIC HEARING

Zoning Ordinance Amendment #160 - An Ordinance to Amend Cheboygan County Zoning Ordinance No. 200 Relative to Sign Regulations and Standards, including for Electronic Signs and Freestanding Signs.

Mr. Turisk stated this is a public hearing for amendment #160 regarding sign regulations and standards for electronic sign surfaces. Mr. Turisk stated that there have been minor verbage and organizational changes since the February 3, 2021 meeting. Mr. Turisk referred to Section 17.19.8.1 and noted that this section states the purpose of the sign regulations and various permitting standards. Mr. Turisk stated that the purpose statement was discussed at the last meeting and it was suggested by staff to legal counsel that the purpose is appropriate, but it was decided to structure it in the format that is in the amendment.

Mr. Freese stated that in Table 1, Footnote 1 should also be under freestanding signs under Resource Conservation (P-RC).

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to forward Amendment #160 to the Board of Commissioners with a recommendation for approval with the addition of Footnote 1 under Resource Conservation (P-RC). Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

A site plan review amendment application to construct a stand-alone building (silo bar) for Michael's Tavern & Steakhouse, per Section 6.2.3 (Bar and Restaurant) and 20.14 (Amendments to Approved Site Plans) of the Zoning Ordinance.

Ms. Merk presented information contained in the staff report.

Ms. Lyon asked why this structure is called a silo bar. Mr. Fullford stated a section of a silo roof is being used. Mr. Fullford stated this is a neat concept and it saves on lumber cost. Discussion was held.

Mr. Freese stated that the GIS map/aerial photo in the packet is inaccurate by being shifted approximately 22ft. to the east and 20ft. to the north. Mr. Freese referred to Mr. Fullford's survey and noted there is a distance of 75ft. to the old right of way and 33ft. from the centerline of the Straits Highway indicated as the new right of way. Mr. Freese stated that he believes that the regulation should be amended to indicate that the setback measurements should be made from the edge of the new 66ft. right of way rather than from the old right of way. This change should be made for South Straits Highway from the point where it intersects M-68 on the north, south to the Otsego County line. This would allow property owners to use a greater portion of their property if the property line is more than 33ft. from the centerline of the road. Mr. Freese stated the Road Commission Manager attended a Planning Commission meeting in the past and stated that they could not abandon the right of way as snow could be thrown too far and damage could occur. Mr. Freese stated that the Road Commission gave up the right of way for this stretch of highway years ago. Mr. Freese stated the ownership of this land has not been determined and will remain so until it is taken to court. Mr. Kavanaugh stated it would be worthwhile checking to see if the Road Commission did give this right of way up and then have a discussion at a future meeting. Mr. Freese stated that when the Road Commission Manager attended the Planning Commission meeting several years ago he was not aware of this issue. Mr. Freese stated that he has a copy of the document. Mr. Freese stated that it should be reiterated in the regulation that the GIS maps are a guide and not a final word on property boundaries. Discussion was held.

Mr. Fullford stated that 2 years ago the Road Commission paid for his sign that was damaged by snow being thrown by a plow truck because it was outside the right of way. Mr. Fullford stated that these road apportionments typically revert back to the adjoining property owners. Mr. Fullford noted that he is currently working on a project right now that is north of Indian River that is also a part of this abandonment of the right of way of Straits Highway. Mr. Fullford stated that he is hoping to have some resolution on that from a title company as it is complicated.

Mr. Kavanaugh asked for the location of the well. Mr. Fullford stated it may be located along the south west wall of the restaurant but he is not 100% sure. Mr. Fullford stated that the previous owner had to move his septic and drainfield so he believes everything is up to code. Discussion was held. Mr. Fullford agreed to update the site plan with the location of the well.

Ms. Croft asked for public comments. There were no public comments. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Bartlett, to waive the topography requirement. Motion carried. (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson) **Motion** by Mr. Freese, seconded by Mr. Kavanaugh to waive the utility requirement. Motion carried. (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson)

The Planning Commission reviewed the General Findings. The Planning Commission added "The Planning Commission finds that the GIS map provided in the staff report is inaccurate." to the General Findings. The Planning Commission reviewed the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Prior to construction, obtain as applicable, building permits from the Department of Building Safety. The applicable building permit application(s) shall include a site plan in conformance with this site plan review amendment that meets all applicable site development standards (such as minimum required setbacks from property boundaries).
2. Prior to construction, obtain as applicable, approvals and/or permits from the District Health Department #4.
3. The applicant shall provide the Planning and Zoning Department the Acceptance of Conditions form (to be attached to the site plan review amendment approval letter) within thirty (30) calendar days from the date of the approval letter. This form shall be signed by the property owner(s) or their legal representatives, otherwise the approved site plan review amendment may be deemed void upon thirty (30) days written notification to the applicant.
4. Any changes to the site plan review amendment shall be subject to review by the Planning and Zoning Department and may require an application for amendment and approval by the Planning Commission.
5. Locate well on site plan.

Motion carried. (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana), 0 Nays, 1 Absent (Thompson)

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

Mr. Turisk reminded the Planning Commission members to contact him if they would like to sign up for the Risk Management Workshop. Mr. Turisk stated that Michigan Association of Planning is offering build your own workshop opportunities. Mr. Turisk asked the Planning Commission members to contact him if there is a particular subject that they would like to learn about.

Mr. Turisk stated that on Tuesday, February 23, 2021, he will be presenting the 2019-2020 Planning and Zoning Department report to the Board of Commissioners. Mr. Turisk stated that he will present this report to the Planning Commission in March.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 7:39pm.



Charles Freese
Planning Commission Secretary