



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING WEDNESDAY, AUGUST 3, 2016 AT 7:00 P.M. ROOM 135 - COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzyk
ABSENT: Kavanaugh, Borowicz
STAFF: Scott McNeil
GUESTS: Bob Lyon, Charles Maziasz, Eric Boyd, Russell Crawford, Cheryl Crawford, Tony Matelski

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. Churchill, seconded by Mr. Freese, to approve the agenda as presented. Motion carried. 7 Ayes (Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 0 Nays, 2 Absent (Kavanaugh, Borowicz)

APPROVAL OF MINUTES

The July 20, 2016 Planning Commission minutes were presented. **Motion** by Mr. Churchill, seconded by Mr. Freese, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 0 Nays, 2 Absent (Kavanaugh, Borowicz)

PUBLIC HEARING AND ACTION ON REQUESTS

BRIAN FROST - Requests a Special Use Permit for a Salvage yard - Section 9.3.18. The property is located at 7455 Reams Rd., Mentor Twp., section 8, parcel #200-008-100-014-02, and is zoned Agriculture and Forestry Management (M-AF). (*This item was tabled at the July 20, 2016 Planning Commission meeting.*)

Ms. Croft stated that Mr. Frost has submitted a request to table this consideration of a special use permit for a salvage yard until the next Planning Commission meeting. **Motion** by Mr. Freese, seconded by Ms. Lyon, to table the special use permit request for Brian Frost until the August 17, 2016 Planning Commission meeting. Motion carried. 7 Ayes (Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 0 Nays, 2 Absent (Kavanaugh, Borowicz)

Public Hearing on 2017 Capital Improvements Program

Mr. McNeil stated that a public hearing is part of the process for the establishment of the Capital Improvements Program. McNeil explained that the Capital Improvement Plan is required by the Planning Enabling Act. Mr. McNeil stated within this plan you will see projects provided by different agencies in the county. Mr. McNeil stated the Planning Commission looks at each project and determines if it should be included in the plan and if included in the plan the Planning Commission decides whether the project should be included in a needed category or a desirable category.

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

Board held discussion. Mr. Freese noted that Tuscarora Township has a Planning Commission and questioned if their Capital Improvement Program should be included in the Cheboygan County Capital Improvement Program. Mr. McNeil stated yes, it should. Mr. McNeil stated that we invite Tuscarora Township to submit projects. Discussion was held regarding any entity with a Master Plan being required to have a Capital Improvement Plan.

Motion by Mr. Freese, seconded by Mr. Bartlett, to forward the 2017 Capital Improvement Program to the Cheboygan County Board of Commissioners with a recommendation for approval. Motion carried. 7 Ayes (Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 0 Nays, 2 Absent (Kavanaugh, Borowicz)

UNFINISHED BUSINESS

Review of Sign Ordinance Amendment

Mr. McNeil stated that the sign ordinance amendment has been reviewed by legal counsel. Mr. McNeil stated that legal counsel has only made a couple of changes including adding exception language regarding incidental signs in Section 17.19.3.C. and sign on vehicles used in day to day operations in Section 17.13.3.E. Mr. McNeil stated these are the only changes and he believes this amendment is ready for a public hearing. **Motion** by Mr. Freese, seconded by Mr. Churchill, to schedule a public hearing for September 7, 2016. Motion carried. 7 Ayes (Bartlett, Freese, Croft, Ostwald, Lyon, Churchill, Jazdzzyk), 0 Nays, 2 Absent (Kavanaugh, Borowicz)

Review of proposed definitions regarding uses related to Restaurant and Bar and Gas Station and Party Store

Mr. McNeil stated that with regards to Gas Stations and Party Stores, language referencing motor vehicle repair has replaced auto repair as requested. Mr. Freese requested that the use classification be changed to Motor Vehicle Repair Facility. Mr. Freese referred to the definition of Motor Vehicle Service Station and questioned if engine rebuilding is crossing over into Motor Vehicle Repair Facility. Mr. Freese stated that normally a gas station does not tear an engine down and rebuild it. Ms. Lyon agreed with Mr. Freese. Mr. McNeil stated that it is in the current Motor Vehicle Service Station definition. Mr. McNeil stated that as we are changing definitions we may want to put it in the category that it fits better in. Discussion was held regarding vehicles that are fixed at a residence falling under the definition of Motor Vehicle Service Station. Ms. Lyon stated that this should be a separate definition. Mr. Freese stated this is the use that is being defined and not the location. Mr. McNeil agreed that the Planning Commission is looking at the impact on the land. Ms. Lyon stated that she does not see someone rebuilding engines also selling food items and gasoline. Mr. Freese stated that it does not have to include all of these items. Mr. Freese stated the use is what you are looking at and noted that it is not the location. Mr. Freese stated the location will include or preclude the use in the area. Mr. McNeil stated that this use is allowed in the Agriculture and Forestry Management Zoning District, Commercial Development Zoning District, Light Industrial Zoning District and General Industrial Zoning District. Discussion was held regarding a special use permit being required. Mr. McNeil noted that the Zoning Administrator is not able to approve a home occupation permit for this use. Mr. McNeil stated the permitted uses for home occupation include "Repair services, including small appliances, small engines, and computers/electronics." Mr. McNeil stated that auto repair is not included. Mr. Freese noted that this sentence first states that engine repair is allowed and the sentence then provides examples such as small engine repair. Mr. McNeil stated that he would not issue a home occupation permit for auto repair based on this sentence. Mr. McNeil stated that another zoning administrator may interpret this sentence differently. Mr. Freese stated that there are a lot of auto repair businesses in Cheboygan County. Mr. Freese stated that engine rebuilding should be taken out of the Motor Vehicle Service Station definition and put into the Motor Vehicle Repair definition. Mr. Freese suggested including vehicle painting in the Motor Vehicle Repair definition.

Mr. McNeil stated the Restaurant definition now includes language stating that it may include alcoholic beverages. Mr. McNeil stated that there is a new definition and language for Drive In Restaurant and a new definition for Mobile Food Unit. Mr. McNeil stated there has been discussion regarding adding food trucks to the definition of Restaurant. Mr. McNeil stated that he has noticed more in the area recently. Mr. McNeil stated that given the nature of how a food truck operates, he believes that they should be handled differently. Mr. McNeil recommended that the definition of Mobile Food Unit be established along with a procedure that it can be approved by a zoning permit as long as it is in the Commercial Zoning District and there is one on the lot. Mr. McNeil reviewed the standards of Section 17.29. Mr. Freese referred to 17.29b and stated that these two sentences conflict with each other. Mr. Freese noted the first sentence states that only one unit is allowed on a lot and the second sentence states that more than one unit will require approval under Article 20. Mr. Freese suggested including "Normally, no more than one (1) mobile food unit may be placed upon a private lot at any one time, however, if more than one (1) food unit is requested on a lot at the same time it shall require approval under Article 20 of this ordinance." in Section 17.29b.

Ms. Croft noted that the next step would be to have this amendment reviewed by legal counsel.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil noted that oral arguments with regards to the Grandview Beach Association vs. Cheboygan County begin on August 4, 2016.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Freese to adjourn. Motion carried. Meeting was adjourned at 7:29pm.

A handwritten signature in cursive script, appearing to read "Charles Freese". The signature is written in black ink and is positioned above a horizontal line.

Charles Freese
Planning Commission Secretary