



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST. ■ PO Box 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

**CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING
WEDNESDAY, SEPTEMBER 20, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

APPROVAL OF MINUTES

PUBLIC HEARING AND ACTION ON REQUESTS

- 1.) **Rae Bontekoe** – Requests a Special Use Permit for an Event Venue (Section 9.3.3. pursuant to Zoning Ordinance Amendment #140). The property is located at 8739 Brudy Road, Ellis Township, section 18, parcel #210-018-400-002-01 and is zoned Agriculture and Forestry Management (M-AF).

UNFINISHED BUSINESS

- 1.) Zoning Ordinance Amendment Regarding Boat Shelter Overlay District
- 2.) Sign Ordinance Amendment Relative To Content Based Regulation
- 3.) Zoning Ordinance Amendment Relative To Bar And Restaurant Uses

NEW BUSINESS

- 1.) Zoning Ordinance Amendment Regarding Office, Health And Fitness Center And Personal Service Center Uses

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN

CHEBOYGAN COUNTY PLANNING COMMISSION

Rae Bontekoe – Revised 08/31/17

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Notice of Planning Commission Meeting (1 Page)
4. Special Use Permit Application (8 Pages) - Updated 08/31/17
5. Pictures (4 pages)
6. Site Plan (2 Pages)
7. Mailing List (2 Pages)

The following items were added to the exhibit list on 08/31/17:

8. Email From Brent Shank, Cheboygan County Road Commission (1 Page)
- 9.
- 10.
- 11.
- 12.
- 13.

Note: Planning Commission members have exhibits 1 and 2.

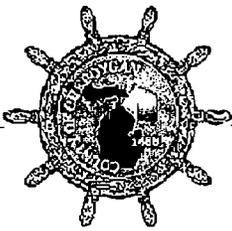
NOTICE
CHEBOYGAN COUNTY PLANNING COMMISSION MEETING AND PUBLIC HEARING
WEDNESDAY, SEPTEMBER 20, 2017 AT 7:00 PM
ROOM 135 – COMMISSIONERS ROOM
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721

A Public Hearing will be held to receive public input on the following matter:

- 1.) **Rae Bontekoe – Requests a Special Use Permit** for an Event Venue (Section 9.3.3. pursuant to zoning ordinance amendment #140). The property is located at 8739 Brudy Road, Ellis Township, section 18, parcel #210-018-400-002-01 and is zoned Agriculture and Forestry Management (M-AF).

Please visit the Planning and Zoning office or visit our website to see the special use permit application and the associated drawings and documents. These documents and staff report may be viewed at www.cheboygancounty.net/planning/. Comments, questions, and correspondence may be sent to planning@cheboygancounty.net or Planning & Zoning Department, PO Box 70, 870 South Main St., Rm. 103, Cheboygan, MI 49721, or presented at the meeting.

Persons with disabilities needing accommodations for effective participation in the public hearing should contact the Community Development Director at the above address one week in advance to request mobility, visual, hearing or other assistance.



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 • PO BOX 70 • CHEBOYGAN, MI 49721
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1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed.

This will be an event venue using the existing barn, with improvements to bring it up to code, on property. (SEE APPROVED PLAN DRAWING)

Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

I plan to keep the barn & land looking as natural as possible and also bring up to code. Parking will be in a field accessed on Brady Road.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.

yes. I plan on creating a handicap accessible pathway up to barn using stamped concrete to blend w/ barn & yard/garden.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

N/A

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

Barbs shall be used only inside of barn.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.

Driveway will remain clear of any parked vehicles.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

yes. There will be walkway from barn to driveway to Brady Road.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.

N/A

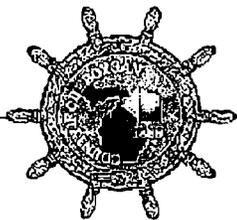
- h. Exterior lighting shall be arranged as follows:

i. It is deflected away from adjacent properties. *yes*

ii. It does not impede the vision of traffic along adjacent streets. *N/A in Country setting.*

iii. It does not unnecessarily illuminate night skies. *Lighting will be aimed down.*

SPECIAL LAND USE PERMIT APPLICATION



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SPECIAL LAND USE PERMIT APPLICATION

i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

yes

j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

yes

3. Size of property in sq. ft. or acres: 15.9 acres

4. Present use of property:

Residential

5. SUP Standards:

a. Is the property located in a zoning district in which the proposed special land use is allowed?

yes?

b. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole? Explain. No.

c. Will the proposed special land use involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public highway or seen from any adjoining land owned by another person? Explain. Music can be heard by neighbors.

I have spoken with all adjoining property owners. They have all given positive feed back to having this venue open.

d. Will the proposed special land use be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned? Explain. yes

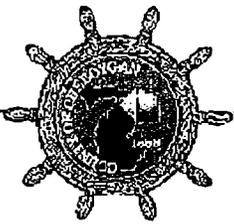
e. Will the proposed special land use place demands on fire, police, or other public resources in excess of current capacity? Explain.

No.

f. Will the proposed special land use be adequately served by public or private streets, water and sewer facilities, and refuse collection and disposal services? Explain. Yes. Water is current well.

I will put in septic system for barn restrooms.

Garbage will be placed in large garbage cans & disposed of thru waste management company.



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SPECIAL LAND USE PERMIT APPLICATION

- g. Will the proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services? yes
- h. Will the proposed special land use comply with all specific standards required under this Ordinance applicable to it (i.e. parking, setbacks, etc)? yes
- 6. Does the proposed use of the property include or involve either:
 - Junk or salvage yard (Section 3.6) YES NO
 - Mineral extraction (Section 17.17) YES NO
 If YES, this application must include a written plan as described in the Zoning Ordinance.
- 7. Attach a copy of Warranty Deed or other proof of ownership.
- 8. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature Rae Bontekoe Date 8/16/17

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

Owner's Signature Rae Bontekoe Date 8/16/17



Date Received:	<u>8/16/17</u>	Notes:
Fee Amount Received:	<u>\$225.00</u>	
Receipt Number:	<u>5827</u>	
Public Hearing Date:	<u>9/20/17</u>	

Planning/Zoning Administrator Approval:

[Signature] Signature 9/20/17 Date

SPECIAL LAND USE PERMIT APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100ft. or less.
✓		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
✓		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
	N/A	d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
	✓ N/A	e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
✓		f. Location of existing and proposed buildings and intended uses thereof.
✓		g. Details of entryway and sign locations should be separately depicted with an elevation view.
✓		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
✓ <i>Driveway</i>		i. Location, size, and characteristics of all loading and unloading areas.
✓		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
	N/A	l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		m. Location and specifications for all fences, walls, and other screening features.
✓		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
✓		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
✓		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
✓		q. Elevation drawing(s) for proposed commercial and industrial structures.
	✓WA	r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
✓		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

<u>SECTION</u>	<u>REASON FOR WAIVER REQUEST</u>
d	Reason Provided

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



 SIGNATURE

8/16/17

 DATE

I am hoping to turn my barn into an event venue to host weddings, graduation parties, family reunions, dances, birthday parties, etc. Most of these would be private events, however, I would also like to be able to accommodate small to medium size events that would be open to the public. These would include the occasional craft/art shows and small musical events / dances inside the barn. I would use the same amount of space as is used for the weddings. I would be respectful of neighbors , as the noise level and amount of people attending would be no more than that for a wedding. Time frames/ hours of operation would be the same as that for weddings and probably even end much earlier than the weddings.

I plan to be open from mid-May to the end of October every year.

I would hold 1 wedding per weekend initially. I plan on asking music to end by 11:00 p.m. with everyone vacating property by 11:30 -12. Weekday events would end by 10:00 p.m.

Parking will be in a field just north of the barn. It will be accessed off of Brudy road. There will be signage indicating parking for the event. I would hire a contract employee to be a parking attendant. That person would show people where to park and also walk them to their car with flashlight as needed. For people who cannot safely walk thru the field, I will allow them to use my blacktopped driveway for drop off near the barn and handicapped accessible walkway .

Employees would include contract employees only. I plan on hiring up to 5-7 people or as needed. Their duties would include but is not limited to: yard maintenance people, handyman , assistance for set up and take down, cleaning, fire pit , and parking attendants.

Lighting will be mostly inside the barn, however, I will have some yard lighting. This would include a large light on the front and side of the barn, string lighting around the yard and barn, lighting along pathways , and possibly other solar lights as needed.

Restrooms: There will be 1 women's and 1 men's restroom. They will both be accessible from both ends of the barn and be handicapped accessible. There will be 2 stalls in each restroom.

Garbage collection will be in large plastic garbage cans and be disposed of thru the owner's current garbage collector. It will be stored in the garage until garbage collection day on Wednesdays.

Food and alcohol: All food and alcohol will be required to be prepared and served by a licensed caterer. No cooking / food prep will be done in the barn.

Insurance: business owner will carry business liability insurance. Clients will also be required to carry an event liability coverage of their own.

Structure: I am planning on re- modeling the barn to bring it up to code, accessibility, and safety requirements. This will include adding support beams and posts to support floor, replacing main level floor, replacing roof, making the main level handicap accessible by adding a walkway to the front of the barn, adding restrooms/septic/ plumbing to lower level, rewiring

the entire barn for commercial use, adding lighting and windows. We will also add a second exit to main level .

Over the next few years, I will add improvements as able. This would include landscaping, seating areas, gardens, and a firepit area. There is a large flat area for use if clients desire to set up a tent.

I plan to allow 150 to 250 guests.

Overall, I would like to keep the barn and grounds looking as authentic and natural as possible while providing a beautiful setting for events.

Thank you !

← parking

Tent

bar

tables





Duck

Walking
for a... list

Drop off
point

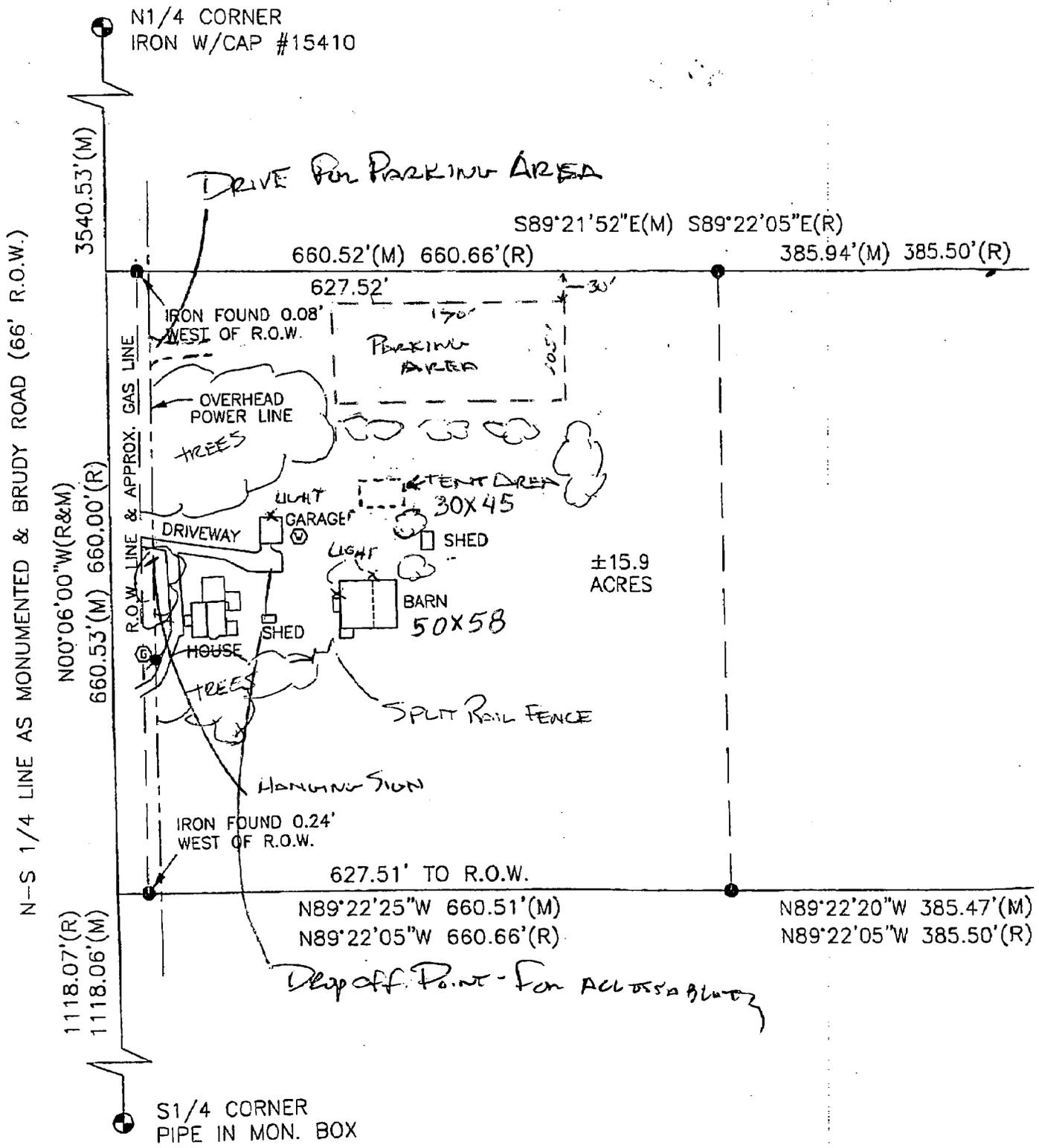


Parking

tent area

Barn here ↘

PART OF THE SE1/4,
ELLIS TOWNSHIP, CHEB



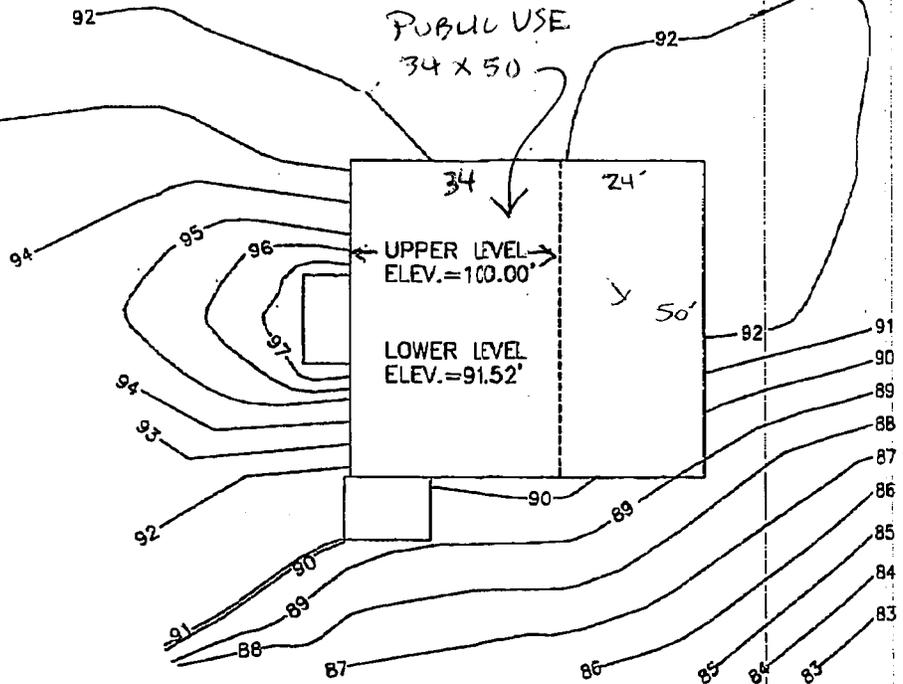
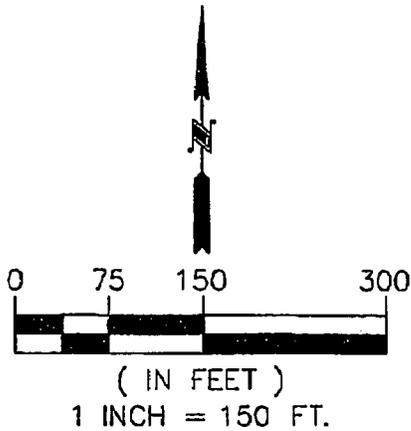
DATE	REVISIONS	CLIENT:
APRIL 01, 2016	ORIGINAL ISSUE	

SECTION 18, T34N, R2W,
CHEBOYGAN COUNTY, MICHIGAN

SOUTHEAST
CORNER OF
DRIVEWAY
ELEV.=92.62'

AREA FOR
PUBLIC USE
34 X 50

S00°03'30"E 659.93'(M) S00°06'00"E 660.00'(R)



BARN TOPOGRAPHIC DETAIL
SCALE: 1"=30'

- FD IRON W/CAP #27463
- SET 1/2" REBAR W/CAP #52460
- POWER POLE W/TELEPHONE BOX
- ⊕ BURIED GAS MARKER
- ⊙ WELL

BEARINGS BASED ON THE DEED
OF RECORD.

PROPERTY AS SURVEYED RECORDED
IN LIBER 1273, PAGE 13,
CHEBOYGAN COUNTY RECORDS.



Alan J. Granger

Granger and Associates, Inc.

Engineers • Surveyors

224 S. Main St., Cheboygan, MI 49721

Email: grangerandassociates@gmail.com

231-627-2763

TITLE:

BOUNDARY SURVEY
WITH TOPOGRAPHIC DETAIL

SCALE: 1" = 150'

SHEET 1 OF 1

DRAWN BY: JSD

JOB NO.: C7373-00

210-018-300-002-04
SHANN, MATTHEW D
8800 BRUDY RD
WOLVERINE, MI 49799

210-018-300-002-06
MCDUGALL, DUANE & CYNTHIA H/W
8610 BRUDY RD
WOLVERINE, MI 49799

210-018-313-121-00
OBOYLE, DARREN & BRIDGET H/W
8914 BRUDY RD
WOLVERINE, MI 49799

210-018-400-002-01
BONTEKOE, RAE
8739 BRUDY RD
WOLVERINE, MI 49799

210-018-400-006-00
FLOCK, FRANKLYN JR & SUSAN H/W
8829 BRUDY RD
WOLVERINE, MI 49799

210-018-400-008-00
BLUEMENTHAL, DAVID & JAMIE H/W
8565 BRUDY RD
WOLVERINE, MI 49799

210-018-400-010-00
SANTANGELO, VICTOR &
5229 DUNHAM RD
WOLVERINE, MI 49799

210-018-300-002-04
OCCUPANT
8800 BRUDY RD
WOLVERINE, MI 49749

210-018-300-002-06
OCCUPANT
8610 BRUDY RD
WOLVERINE, MI 49749

210-018-313-121-00
OCCUPANT
8914 BRUDY RD
WOLVERINE, MI 49749

210-018-400-002-01
OCCUPANT
8739 BRUDY RD
WOLVERINE, MI 49749

210-018-400-006-00
OCCUPANT
8829 BRUDY RD
WOLVERINE, MI 49749

210-018-400-008-00
OCCUPANT
8565 BRUDY RD
WOLVERINE, MI 49749

210-018-400-010-00
OCCUPANT
5229 DUNHAM RD
WOLVERINE, MI 49749

Deborah Tomlinson

Debbie,

The driveway for Mr. Bontekoe would be considered commercial under the Road Commission permit regulations. Commercial driveways have a requirement for concrete curb and gutter along with surfacing requirements.

Have a good day,

Brent Shank
Engineer/Manager
Cheboygan County Road Commission
mgr@chcrc.com
(231) 238-7775



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

STAFF REPORT

Item: A Special Use Permit application for an Event Venue in Agriculture and Forestry Management (M-AF) zoning district.	Prepared by: Scott McNeil
Date: August 31, 2017	Expected Meeting Date: September 20, 2017

GENERAL INFORMATION

Applicant: Rae Bontekoe

Contact person: Rae Bontekoe

Phone: 231-445-2610

Requested Action: Approval of a Special Use Permit for an Events Venue pursuant to Section 9.3.3.

BACKGROUND INFORMATION

Introduction:

The applicant is seeking approval of a Special Use Permit to allow an Events Venue on approximately 16.3 acres of property zoned Agriculture and Forestry Management District (M-AF). The applicant has provided a detailed description of activity and improvements for the site with the application. The site includes a barn structure which the applicant proposes to convert for the use in conjunction with the events venue. (see exhibit 4) The applicant also proposes to use portions of the site for setting up tents and parking. (see exhibit 7) The applicant also proposes to host public and private events.

Assembly, Educational and Social Event facility is a use which requires a special use permit in the Agriculture and Forestry Management zoning district per section 9.3.3. This is a new use listing established via the recently adopted amendment #140. The definition for this use reads as follows:

ASSEMBLY, EDUCATIONAL or SOCIAL EVENT FACILITY

A building or portion thereof which is used for civic, educational, entertainment, governmental, political, religious or social purposes.

The Planning Commission approved a special use permit for an Event Venue with conditions that included private events only at the subject location on June 15, 2016. The approved special use permit has expired. A copy of the meeting minutes relative to the special use permit are included at the end of this report.

Current Zoning:

Agriculture and Forestry Management (M-AF)

Surrounding Land Uses:

Residential and agricultural uses surround the site on large parcels.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): There are no known environmentally sensitive areas on the subject site.

Historic buildings/features:

The applicant is seeking to convert an existing barn and surrounding site into an events venue. There known historic building or historic features on this site.

Traffic Implications

This project will have minimal effect on current traffic conditions.

Parking

Section 17.6. provides for parking space requirements for assembly halls of 1 per 4 persons of maximum capacity. The building code bases maximum capacity of 15 square feet per person. For 4 persons this would be 60 square feet. The area for assembly in the barn (34 ft. x 50 ft.) and tent area (30 ft. x 45 ft.) have a total of 3050 square feet. Based on this information 51 parking spaces are required. $(3050/60 = 50.8)$. The applicant indicates that up to seven (7) "contract" employees will be used. Section 17.6. requires 1 parking space for every 2 employees requiring 4 parking spaces. Based on this review a total of 55 parking spaces are required. The site plan provides for a parking area of 170 ft. x 105 ft. This area will allow three parking lanes (55 required parking spaces with 9 ft. wide 90 deg. parking spaces = 495 lineal ft./3 lanes = 165 ft. lineal ft. each. + 3 lanes 20 feet deep with two aisles at 22 feet each = 104 ft. Based on this calculation an area of 104 feet deep and 165 feet wide will support the required parking spaces with the required parking space dimensions (9 x 20) and aisle width (22 ft.) for 90 deg. parking.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties)

Access to the site is facilitated by an existing driveway and will not be changed.

Signs

The applicant proposes one (1) "hanging" sign. Maximum sign surface area allowed per section 17.91.8. for a free standing sign is 18 s.f.

Fence/Hedge/Buffer

No hedges or other buffers are proposed.

Lighting

The applicant proposes lighting located on the barn and path lighting.

Stormwater management

No changes are proposed to the natural features of the land or to the current drainage on the site.

Review or permits from other government entities:

Approval of assembly/event venue structure by the Department of Building Safety and Health Department.

Recommendations (proposed conditions)

Approval by Health Department

Approval by Department of Building Safety

Excerpt from Planning Commission meeting minutes of June 15, 2016

PUBLIC HEARING AND ACTION ON REQUESTS

Rae Bontekoe – Requests a Special Use Permit for an Event Venue (Section 9.3.22.). The property is located at 8739 Brudy Road, Ellis Township, section 18, parcel #210-018-400-002-01 and is zoned Agriculture and Forestry Management (M-AF).

Mr. McNeil explained that the request comes to the Planning Commission under Section 9.3.22 which requires the Planning Commission to make a finding that the proposed use is like other uses in the Agriculture and Forestry Management zoning district and that no other use like this has been approved in another zoning district. Mr. McNeil stated that the special use permit is for an events venue and the applicant has indicated that she would like to hold events/parties in an existing barn that will be renovated. Mr. McNeil noted that parking and tents will be located to the north of the barn. Mr. McNeil stated that topography has been provided. Mr. McNeil stated the findings under Section 9.3.22 are integrated into the Findings of Fact for the special use permit.

Ms. Bontekoe stated that events such as weddings and graduation parties would be held at this venue.

Mr. Kavanaugh stated that the Health Department has reviewed the soils and the slopes for a septic system. Mr. Kavanaugh stated that research will be done on the existing well. Mr. Kavanaugh stated that the applicant has contacted the Health Department in regards to a food service operation. Mr. Kavanaugh stated there are a lot of improvements to be made prior to serving food but the applicant has taken the necessary steps. Mr. McNeil stated that the applicant has also contacted the Department of Building Safety.

Mr. Churchill asked if there will be overnight camping. Ms. Bontekoe stated no. Mr. Jazdyk asked if tents may be required for certain events. Ms. Bontekoe stated yes. Mr. Jazdyk asked if Ms. Bontekoe has considered events such as Blissfest where there would be music and entertainment that would transpire through the whole day. Ms. Bontekoe stated no. Ms. Bontekoe stated that the music would be in the evening and would probably occur in the barn.

Mr. Ostwald asked if the building will be insulated for sound prevention. Ms. Bontekoe stated no and that she would like to keep the barn as authentic as possible. Ms. Bontekoe stated the music will be in the barn. Discussion was held.

Mr. Jazdyk asked if Ms. Bontekoe has considered security. Ms. Bontekoe stated she has not thought too much about security. Ms. Bontekoe stated she will hire security if it is needed but hopefully it will not be needed. Discussion was held. Mr. Churchill stated that in the past some insurance companies have required security if there was alcohol. Mr. Freese stated that the Knights of Columbus, V.F.W, and township halls hold similar events and security is not normally needed and would be provided if called for by local law enforcement.

Discussion was held regarding a letter of opposition that was submitted to the Planning Commission regarding this request for a special use permit.

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

Mr. Freese stated that this land use is closest to what is being used in the county as a club. Mr. Kavanaugh stated that the event venue use should be added to the Planning Commission's list of things to do. Mr. Freese asked Ms. Bontekoe if there will only be private events held at this location. Ms. Bontekoe stated yes. Mr. Freese asked if there are any public events that are planned. Ms. Bontekoe stated no and

this is only for weddings and family functions. Mr. Freese stated that there should be a condition added that this is only for private events.

Ms. Croft asked if the Section 9.3.22 should be changed to clubs. Mr. Freese stated yes. Mr. McNeil stated that this is a different use than a club. Mr. McNeil suggested citing clubs in the determination of similar character. Discussion was held. Mr. McNeil suggested replacing item 4 under Section 9.3.22 with the finding of club being similar character. Mr. Freese agreed that this should be changed to clubs.

The Planning Commission reviewed and approved the General Findings. The Planning Commission added "The applicant is seeking approval for private special events only." as item 4. The Planning Commission reviewed and approved the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10.

Mr. Freese stated that he believes a determination should be made as to how many parking spaces are to be required. Mr. Freese stated that 150 parking spaces should be required. Mr. Kavanaugh and Mr. McNeil stated that there is enough room for parking. Mr. Kavanaugh stated that an area can be designated on the site plan for the 150 parking spaces. Mr. McNeil stated that he will prepare the calculations for an area that will allow 150 parking spaces. Mr. McNeil stated he will make sure this is included on the site plan.

Motion by Mr. Borowicz, seconded by Mr. Kavanaugh, to grant the topography waiver request. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdyk), 0 Nays, 1 Absent (Lyon)

Motion by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the special use permit based on the General Findings, Determination Under Section 9.3.22, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to no overnight camping, private events only, Zoning Department to assist in indicating 150 parking spaces on the site plan, Health Department requirements and Department of Building Safety requirements.

Discussion was held. Mr. Kavanaugh stated that letters should be requested from the Health Department and Department of Building Safety. Mr. Freese asked if the driveway will be used as an entrance. Ms. Bontekoe stated no and that there will be an entrance on Brudy Road into the field. Mr. McNeil stated there are two driveways noted on the site plan.

Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Churchill, Jazdyk), 0 Nays, 1 Absent (Lyon)

CHEBOYGAN COUNTY PLANNING COMMISSION

SPECIAL USE PERMIT REQUEST

Wednesday, September 20, 2017, 7:00 PM

Applicant

Rae Bontekoe
8739 Brudy Rd.
Wolverine Mi. 49799

Owner

Rae Bontekoe
8739 Brudy Rd.
Wolverine Mi. 49799

Parcel

8739 Brudy Rd.
Ellis Township
210-018-400-002-01

GENERAL FINDINGS

1. The subject lot is located in an Agriculture and Forestry Management (M-AF) zoning district.
2. The applicant is seeking a special use permit under section 9.3.3., Assembly, Educational or Social Event Facility for an Events Venue use.
3. The applicant is seeking a waiver from the topographic survey requirement for site plans.
- 4.
- 5.

FINDINGS OF FACT UNDER SECTION 18.7 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The property subject to the application is located in a zoning district in which the proposed special land use is allowed.
 1. The subject lot is located in an Agriculture and Forestry Management (M-AF) zoning district.
 2. Assembly, Education or Social Event Facility is a use which requires a special use permit per section 9.3.3.
 - 3.
 4. Standard has been met.
Or,
 - 1.
 2. Standard has not been met.
- b. The proposed special land use will not involve uses, activities, processes, materials, or equipment that will create a substantially negative impact on the natural resources of the County or the natural environment as a whole.
 1. The applicant will renovate an existing barn structure where activities will take place. (see exhibit 4)
 2. No changes are proposed to be made to the site. (see exhibits 4 and 6)
 3. The applicant states that music will take place in the barn. (see exhibit 4)
 - 4.
 5. Standard has been met.
Or,
 - 1.
 2. Standard has not been met

- c. The proposed special land use will not involve uses, activities, processes, materials, or equipment, or hours of operation that will create a substantially negative impact on other conforming properties in the area by reason of traffic, noise, smoke, fumes, glare, odors, or the accumulation of scrap material that can be seen from any public or private highway or seen from any adjoining land owned by another person.
1. The applicant states that music will end at 11:00 P.M. with everyone vacating the property by 12:00 A.M. (see exhibit 4)
 2. The applicant state that weekday events will end at 10:00 P.M. (see exhibit 4)
 - 3.
 4. Standard has been met.
- Or,
1. The hours of operation stated by the applicant will create a substantially negative impact on other conforming properties in the area by reason of noise and traffic.
 - 2.
 3. Standard has not been met.
- d. The proposed special land use will be designed, constructed, operated, and maintained so as not to diminish the opportunity for surrounding properties to be used and developed as zoned.
1. The applicant proposes to use the north portion of the lot for tent area and parking . (see exhibit 6)
 2. The applicant will renovate an existing barn structure where activities will take place. (see exhibit 6)
 3. The subject lot contains 16.3 acres.
 4. The applicant states that music will end at 11:00 P.M. with everyone vacating the property by 12:00 A.M.
 5. The applicant state that weekday events will end at 10:00 P.M. (see exhibit4)
 - 6.
 - 7.
 8. Standard has been met.
- Or,
1. The special land use will not be designed and/or operated so as not to diminish the opportunity for surrounding properties to be used and developed as zoned due to _____.
 - 2.
 3. Standard has not been met.
- e. The proposed special land use will not place demands on fire, police, or other public resources in excess of current capacity nor increase hazards from fire or other dangers to the subject property or adjacent properties.
1. The applicant is seeking a special use permit under section 9.3.3. for an Events Venue in an M-AF zoning district. (see exhibit 3)
 2. The applicant states that music will end at 11:00 P.M. with everyone vacating the property by 12:00 A.M.
 3. The applicant state that weekday events will end at 10:00 P.M. (see exhibit 3)
 - 4.
 5. Standard has been met.
- Or,
- 1.
 2. Standard has not been met.

- f. The proposed special land use shall not increase traffic hazards or cause congestion on the public or private highways and streets of the area in excess of current capacity. Adequate access to the site shall be furnished either by existing roads and highways or proposed roads and highways. Minor residential streets shall not be used to serve as access to uses having larger area-wide patronage. Signs, buildings, plantings, or other elements of the proposed project shall not interfere with driver visibility or safe vehicle operation. Entrance drives to the use and to off-street parking areas shall be no less than 25 feet from a street intersection (measured from the road right-of-way) or from the boundary of a different zoning district.
 - 1. Access to the site is provided from Brudy Rd. which is a paved County Local Road. (see exhibit 7)
 - 2.
 - 3. Standard has been met.

Or,

 - 1.
 - 2. Standard has not been met.

- g. The proposed special land use will be adequately served by water and sewer facilities, and refuse collection and disposal services.
 - 1. The applicant shall comply with applicable requirements of the Health Department.
 - 2.
 - 3. Standard has been met.

Or,

 - 1. The applicant has not provided information which indicates that this standard has been met.
 - 2.
 - 3. Standard has not been met.

- h. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it.
 - 1. The proposed special land use will comply with all specific standards required under this Ordinance applicable to it. (see exhibits 1 and 3)
 - 2.
 - 3. Standard has been met.

Or,

 - 1.
 - 2. Standard has not been met.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 - 1. No change to topography or natural contours is proposed. (see exhibit 4)
 - 2. A topographic detail drawing has been provided. (see exhibit 6)
 - 3.
 - 4. Standard has been met.

Or,

 - 1.
 - 2. Standard has not been met.

- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 - 1. No trees will be removed.
 - 2. No soil removal is proposed (see exhibit 4)
 - 3.
 - 4. Standard has been met.Or,
 - 1.
 - 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. Current drainage will not be affected or altered. (see exhibit 3)
 - 2.
 - 3. Standard has been metOr,
 - 1.
 - 2. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. The existing dwelling unit is owned by the applicant.
 - 2. The applicant states that music will end at 11:00 P.M. with everyone vacating the property by 12:00 A.M.
 - 3. The applicant state that weekday events will end at 10:00 P.M. (see exhibit 4)
 - 4.
 - 5. Standard has been met.Or,
 - 1.
 - 2. Standard has not been met.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. All buildings are arranged to permit emergency vehicle access via an existing driveway and proposed driveway from Brudy Rd. (see exhibit 7)
 - 2. Adequate space is provided onsite for emergency vehicles. (see exhibit 7)
 - 3.
 - 4. Standard has been met

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. All structures and dwelling unit has access to Brudy Rd. which is a County Local Road.
 - 2.
 - 3. Standard has been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. Not applicable. No subdivision plats and subdivision condominiums are proposed.

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. Exterior lighting shall be pointed downward and deflected away from adjacent properties. (see exhibit43)
 - 2.
 - 3. Standard has been met.
Or,
 - 1.
 - 2. Standard has not been met.
- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable. No public or common ways for vehicular and pedestrian circulation are proposed
- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan as conditioned for approval.
 - 2.
 - 3. Standard has been met.
Or,
 - 1.
 - 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, September 20, 2017

Patty Croft, Chairperson

Charles Freese, Secretary



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: September 7, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re; Draft zoning ordinance amendment re; Lake and Stream Protection Shelter Overlay District

Pursuant to discussion at the most recent meeting included with this memo please find a draft amendment document dated 9/7/17 which has be subject to review by legal counsel.

The draft document includes changes as follows:

- Change in the section numbers to 10A.3.2.1 through 10A.3.2.9. and 10A.5.1.1
- Providing the height limit requirement under section 10A.3.2.9. from former section 10A.4.2.a.
- Provides for boat shelters to be allowed in the water front setback under section 10A3.2.8. form former section 10A.4.2.b.
- Adding language in section 10A.3.1. and 10A.4.1. clarifying uses by right and by special use permit in the Lake and Stream Protection (P-LS) district apply in the overlay district.
- Add new section 10A.5. from former section 10A.4.

I believe the amendment document is in order for review at a public hearing. I will look forward to continued discussion with the Planning Commission.

Please contact me with questions.

DRAFT 9/7/17

CHEBOYGAN COUNTY
ZONING ORDINANCE AMENDMENT #_____
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO.
200 TO ESTABLISH THE LAKE AND STREAM PROTECTION SHELTER OVERLAY
DISTRICT.

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical locations, which shall read in their entirety as follows:

BOAT SHELTER

A structure constructed over a boat well which is designed and used solely for the purpose of protecting or storing watercraft and related equipment for noncommercial purposes.

CANAL

An artificial waterway constructed to allow the passage of boats.

Section 2. Amendment of Zoning Ordinance.

The Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Article 10A, Lake and Stream Protection Shelter Overlay District (P-LS-SO), which shall read in its entirety as follows:

ARTICLE 10A – LAKE AND STREAM PROTECTION SHELTER
OVERLAY DISTRICT (P-LS-SO)

SECTION 10A.1. PURPOSE.

The purpose of this overlay district is to provide for construction of boat shelters in areas where boathouses exist. Boat shelters will be required to meet certain conditions in order to be consistent with land use goals of the Master Plan including the Lake and Stream Residential future land use category.

SECTION 10A.2. BOUNDARIES

The boundaries of this overlay district shall be those waterfront lots located on the Cheboygan River, Indian River, the Lower Black River, and any canal connected to those rivers as shown on the Cheboygan County Zoning Map.

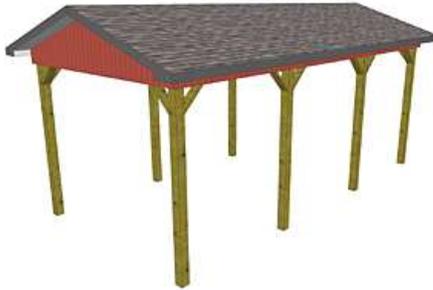
SECTION 10A.3. PERMITTED USES.

10A.3.1. All uses permitted by right in the underlying zoning district.

10A.3.2 Boat shelters, subject to the following conditions and requirements:

10A.3.2.1 No more than one (1) boat shelter shall be permitted on a lot of record.

- 10A.3.2.2 A boat shelter shall not be enclosed and shall not contain walls. Only structural components necessary to support the roof structure shall be permitted. The ability to see through the boat shelter from all angles must be maintained at all times as represented in the following illustration:



- 10A.3.2.3 The width of the boat shelter structure as measured parallel to the shoreline shall not exceed twenty percent (20%) of the lot width or sixteen (16) feet, whichever is greater.
- 10A.3.2.4 No part of the boat shelter shall extend more than two (2) feet from the wall or edge of the boat well.
- 10A.3.2.5 The boat shelter shall contain eaves no greater than two (2) feet.
- 10A.3.2.6 The boat shelter shall have a pitched roof that is no greater than 4/12 pitch, and shall not be designed or used as a deck, observation platform or for other similar uses.
- 10A.3.2.7 Boat shelters shall be permitted in the waterfront setback of the underlying zoning district.
- 10A.3.2.8 Boat shelters shall be permitted in the waterfront setback of the underlying zoning district.
- 10A.3.2.9 A boat shelter shall not exceed a building height of twelve (12) feet.

SECTION 10A.4 USES REQUIRING SPECIAL LAND USE PERMITS.

- 10A.4.1. All uses requiring special land use permits in the underlying zoning district.

SECTION 10A.5 DEVELOPMENT REQUIREMENTS

- 10A.5.1 Except as modified below, all development within this overlay district shall be in accord with the existing development standards for the underlying zoning district as specified in this Ordinance.
- 10A.5.2 Where the regulations of this overlay district differ from the regulations of the underlying zoning district, then the regulations of this overlay district shall control.

Section 3. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 4. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By: John B. Wallace
Its: Chairperson

By: Karen L. Brewster
Its: Clerk



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ▪ PO BOX 70 ▪ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ▪ FAX: (231)627-3646

To: Cheboygan County Planning Commission

From: Scott McNeil, Planner

Subject: Sign ordinance amendment relative to content based regulation.

Date: August 31, 2017

Included with this memo is the most draft zoning ordinance amendment relative to the subject dated 8/31/17.

Based on discussion at the most recent meeting I have changed language regarding temporary signs not requiring a permit in section 17.91.2.B.2. to use lot width as opposed to front lot line as a means to apply the sign surface area standard for your consideration.

The remainder of the amendment document remains as last reviewed.

I will look forward to discussing this matter further with the Planning Commission during the next meeting. Please contact me with questions.

**DRAFT
8/31/17**

CHEBOYGAN COUNTY

Zoning Ordinance Amendment # _____

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE No. 200 TO PROVIDE DEFINITIONS, REGULATIONS AND STANDARDS FOR SIGNS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

Section 1. Repeal of Section 11.7.1

Section 11.7.1. is hereby repealed and reserved for future use.

Section 2. Amendment of Section 17.19.1.

The following definitions within Section 17.19.1 of the Cheboygan County Zoning Ordinance No. 200 are hereby repealed:

Neighborhood identification sign, Noncommercial sign, Off-premise sign, Political sign, and Real Estate Sign.

Section 3. Amendment of Section 17.19.2.

Section 17.19.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

17.19.2. SIGNS NOT REQUIRING A ZONING PERMIT

The following signs may be placed in any zoning district without a zoning permit, provided such signs are established in a lawful manner and do not create a nuisance or safety hazard:

- A. Incidental signs, not exceeding 3 square feet of sign surface area.
- B. Any temporary sign constructed using a wire, metal, wood or other support structure capable of being placed in the ground and removed from the ground by a single individual with relative ease subject to the following requirements:
 - 1. Each sign shall be removed no more than two (2) days after the subject matter of the sign has expired, except as otherwise provided by law.
 - 2. The total sign surface area of all signs shall be no more than forty (40) square feet on lots with a lot width up to one hundred (100) feet. An additional ten (10) square feet of sign surface shall be allowed for each additional one hundred (100) feet of lot width up to a maximum of eighty (80) square feet of sign surface area except as otherwise provided by law.
 - 3. All signs shall be limited to 4 feet in height unless otherwise provided by law.
- C. Governmental signs.
- D. One (1) dwelling owner or occupant name plate per use which is not illuminated and does not exceed an area of two (2) square feet of sign surface area, and may be in addition to any other permitted sign.
- E. Signs that have been approved in conjunction with a valid site plan or PUD.
- F. Any sign authorized pursuant to a written contract between the owner of the lot on which the sign will be located and any third party and placed on the lot for a specified period of time subject to the following requirements:
 - 1. Each sign shall be removed from the lot within thirty (30) days after the contract authorizing the sign matter of the sign has expired.
 - 2. Each sign shall be limited to thirty two (32) square feet of sign surface area.

3. There shall be no more than one (1) sign per lot.
- G. Signs on motor vehicles not used primarily for advertising purposes.

H. The use of any balloons, flags, pennants or pinwheels, individually, as a group, or connected to a sign intended to draw attention to a specific event at a specific location subject to the following requirements:

1. Balloons, flags, pennants or pinwheels, shall not be placed on the lot more than fifteen (15) days before the specific event.
2. Balloons flags, pennants or pinwheels shall be removed from the lot within two (2) days after the specific event is over.

Section 4. Amendment of Section 17.19.3.

Subsection 17.19.3. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

17.19.3. PROHIBITED SIGNS

The following signs are prohibited in all zoning districts.

- A. Signs with moving or revolving parts.
- B. Signs affixed to any governmental utility structure or public utility structure, except incidental signs.
- C. Signs located in the right-of-way of a public sidewalk or highway, unless the governmental body with jurisdiction over the public sidewalk or highway consents in writing to the placement of the sign and such sign otherwise meets the applicable sign regulations of this Ordinance.
- D. Signs utilizing vehicles, trucks, vans, trailers or other similar wheeled devices, including those where the wheels have been removed, excluding signs on vehicles that are used in the day to day operations of the business to which the sign pertains.
- E. Signs that interfere with traffic visibility or public services.
- F. Signs located as to constitute a safety hazard to vehicular traffic.

Section 5. Amendment of Section 17.19.5.

Subsection 17.19.5. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

17.19.5. VILLAGE CENTER INDIAN RIVER ZONING DISTRICT SIGN REQUIREMENTS

Signs in the Village Center Indian River zoning district shall comply with the following requirements:

- A. All signs shall be constructed of metal, masonry, wood, or a wood simulator such as molded plastic or routed foam.
- B. For lots which face more than one (1) street, sign requirements of Section 17.19.8 shall apply to each street front.
- C. Signs shall not extend or overhang into the public right of way (ROW), unless they are 11 ft. above the ROW (at their lowest point) and unless the governmental body with jurisdiction of the public sidewalk or right-of-way consents in writing to the placement of such sign.
- D. In addition to the maximum sign surface area, all lots shall be allowed a bonus of three (3) square feet of sign surface area for each additional use above one (1). This bonus applies to Projecting, Freestanding, and Wall signs only.

Section 6. Amendment of Section 17.19.5.A.

Subsection 17.19.5.A. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

17.19.5.A VILLAGE CENTER TOPINABEE ZONING DISTRICT SIGN REQUIREMENTS

Signs in the Village Center Topinabee zoning district shall comply with the following requirements:

- A. All signs shall be constructed of metal, masonry, wood, or a wood simulator such as molded plastic or routed foam.
- B. Lots with more than one (1) lot line abutting a public right-of-way may have one (1) permanent sign located on the lot along each public right-of-way, subject to the total size requirements under Section 17.19.8. Provided, however, this provision shall not apply to canopy signs.
- C. Signs shall not extend or overhang into the public right of way (ROW), unless they are 11 ft. above the ROW (at their lowest point) and unless the governmental body with jurisdiction of the public sidewalk or right-of-way consents in writing to the placement of such sign.

Section 7. Amendment of Section 17.19.7.D.

Section 17.19.7.D. of the Cheboygan County Zoning Ordinance No 200 is hereby amended to read in its entirety as follows:

- D. Billboards as defined by the Highway Advertising Act of 1972 (1972 PA 106), that border interstate highways, freeways, or primary highways, as defined in said Act, shall be regulated and controlled by the provisions of such Act, notwithstanding the provisions of this ordinance.

Section 8. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 9. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By: John B. Wallace
Its: Chairperson

By: Karen L. Brewster
Its: Clerk



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: September 7, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re; Zoning Ordinance Amendment regarding zoning ordinance amendment relating to Bar and Restaurant uses.

Included with this memo is a draft ordinance amendment dated 9/7/17 relative to the subject. The same has been reviewed by legal counsel. Also included is a report with the proposed use listing changes to the current zoning ordinance as discussed in this memo annotated in red print.

Section 1 of the amendment document provides a new definitions for Bar, Dive through, Restaurant, Restaurant, carry out, Restaurant, drive in, and Restaurant fast food. Noted in bold is recommended language by legal counsel regarding approval of the Michigan Liquor Control Commission.

Section 2 is a house keeping type measure to clarify that an individual is covered under the definition of Family and allowed to occupy a dwelling under the zoning ordinance.

Section 3 provides as follows:

- Provides for Drive-throughs to be allowed in the Commercial Development zoning district with site plan review approval.
- Replaces the current Drive in eating establishments, fast food establishment and restaurants with Restaurant, carry out, Restaurant, drive in, and Restaurant fast food as uses which require site plan review in the Commercial Development zoning district.
- Replaces the current use listings of Bars and taverns, Entertainment and eating establishments and Restaurant/Bar with Bar and Restaurant as uses which require site plan review in the Commercial Development zoning district and uses which require a special use permit in the Agriculture and Forestry Management and Lake and Stream Protection zoning districts respectively.
- Replaces the current use listing of Bars and taverns with Bar as a use which require site plan review in the Village Center, Village Center Indian River, Village Center Indian

River Overlay, Village Center Topinabee and Village Center Topinabee Overlay zoning districts.

- Replaces the current use listing of Restaurant with Restaurant and Restaurant, carry out as uses which require site plan review in the Village Center, Village Center Indian River, Village Center Indian River Overlay, Village Center Topinabee and Village Center Topinabee Overlay zoning districts.

Section 4 provides for saving use listing section numbers for future use as a result of use listing consolidation as provided in Section 3.

Section 5 changes language in section 13A.4.5 to allow outdoor seating on a public sidewalk or in a public right-of-way in the Indian River Village Center zoning district with approval of the government body with jurisdiction only as previously discussed.

I will look forward to further discussion on this matter with the Planning Commission during the public hearing. Please contact me with questions.

8/30/17
CHEBOYGAN COUNTY
ZONING ORDINANCE AMENDMENT # _____
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO.
200 RELATIVE TO BAR AND RESTAURANT USES.

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical location which shall read in their entirety as follows:

Bar

An establishment where alcoholic beverages are primarily served for consumption within a principal building on the premises, where food may also be served and consumed and where hours of operation extend beyond 11:00 PM on any day of the week. Dancing and entertainment where permitted may also take place at a bar. Food and beverages may be served outdoors on the premises as an accessory use **where allowed by the Michigan Liquor Control Commission.**

Drive-through

An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carry out and consumption or use after the vehicle is removed from the premises.

Restaurant

An establishment where food and beverages are served and consumed primarily within a principal building on the premises and where food sales constitute the primary source of the gross sales. Food and beverages may be served outdoors on the premises as an accessory use. **Alcoholic beverages may be served where allowed by the Michigan Liquor Control Commission.**

Restaurant, carry out

An enterprise where food and beverages are served primarily for consumption off premises and may serve food to patrons via a Drive-through and/or via an **accessory** parking lot. Carry out restaurants may have limited seating (no more than 15 seats) within a building or outdoors.

Restaurant, drive in

An establishment where food and beverages are prepared in a principal building and served primarily to patrons in **motor** vehicles which are parked in an **accessory** parking lot. A drive in restaurant may have limited outdoor seating (no more than 15 seats) and may also serve food and beverages for carry out.

Restaurant, fast food

An establishment where food and beverages are served and consumed within a principal building on the premises and to patrons via a Drive-through. Food and beverages may be served outdoors on the premises as an accessory use.

Section 2. Amendment of Section 2.2.

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to change the following definition which shall read in its entirety as follows:

Family

An individual or a group of individuals, whether related or unrelated, who are occupying a dwelling.

Section 3. Amendment of Sections 6.2.3., 9.3.5 and 10.3.15.

Sections 6.2.3. 6.2.9., 9.3.5..10.3.14, 13.2.2., 13A.2.4., 13B.2.2., 13C.2.4., and 13D.2.1 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

- 6.2.3. Bar and Restaurant, Restaurant, carry out, Restaurant, drive in and Restaurant, fast food.
- 6.2.9 Drive-through's
- 9.3.5. Bar and Restaurant
- 10.3.14. Bar and Restaurant
- 13.2.2 Bar and Restaurant
- 13A.2.4. Bar, Restaurant and Restaurant, carry out.
- 13A.2.13. Restaurant and Restaurant, carry out.
- 13B.2.2. Bar, Restaurant and Restaurant, carryout.
- 13C.2.4. Bar, Restaurant and Restaurant carryout
- 13D.2.1. Bar, Restaurant and Restaurant carryout

Section 4. Amendment of Sections 13.2.2., 13A.2.4., 13B.2.2., 13C.2.4., and 13D.2.1.

Sections 13.2.11., 13A.2.13., 13B.2.8., 13C.2.12., and 13D.2.5. of the Cheboygan County Zoning Ordinance No. 200 are hereby repealed and reserved for future use.

Section 5. Amendment of Section 13A.4.5

Section 13A.4.5. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

13A.4.5. Outdoor seating for any use shall not be located on a public sidewalk or public right-of-way, unless the government body with jurisdiction over the public sidewalk or public right-of-way consents in writing to such outdoor seating.

Section 6. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 7. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By: John B. Wallace
Its: Chairperson

By: Karen L. Brewster
Its: Clerk

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>Under ARTICLE 6 – COMMERCIAL DEVELOPMENT DISTRICT (D-CM)</p> <p>SECTION 6.2. PERMITTED USES</p> <p>6.2.1. Any use permitted in the D-RS, Residential Development District. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.2. Automobile, boat, equipment, and farm machinery sales, repair, rental and washing establishments.</p> <p>6.2.3. <u>Bar and Restaruant, Restaurant, carry out, Restaurant, dirve in and Restatrant, fast food. Bars and taverns.</u></p> <p>6.2.4. Bed and Breakfast (Rev. 10/25/09, Amendment #80)</p> <p>6.2.5. Bowling alleys, pool or billiard parlors.</p> <p>6.2.6. Cabinet making shops.</p> <p>6.2.7. Dance, music, voice studios.</p> <p>6.2.8. Dress making, millinery, clothing stores.</p> <p>6.2.9. <u>Drive Through Drive in eating establishments, fast food establishments, and restaurants.</u> (Rev.04/12/07, Amendment #67)</p> <p>6.2.10. Farm product stands.</p> <p>6.2.11. Funeral homes, undertaking establishments.</p> <p>6.2.12. Hotels, motels.</p> <p>6.2.13. Laboratories.</p> <p>6.2.14. Nurseries for flowers and plants.</p> <p>6.2.15. Offices.</p> <p>6.2.16. Parking lots, buildings and garages.</p> <p>6.2.17. Retail sales establishment, General</p> <p>6.2.18. Retail sales establishment, Household</p> <p>6.2.19. Retail sales establishment, Specialty</p> <p>6.2.20. Retail lumber yards.</p> <p>6.2.21. Rifle or pistol ranges when in completely enclosed buildings. (Rev. 09/28/11, Amendment #92)</p> <p>6.2.22. Assembly, Educational or Social Event Facility</p> <p>6.2.23. Wholesale sales and storage when in completely enclosed buildings. (Rev. 09/28/11, Amendment #92)</p> <p>6.2.24. Multiple family housing. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.25. Nurseries and day care centers for children. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.26. Elderly housing, nursing and convalescent homes. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.27. Boarding and lodging houses. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.28. Medical clinics and doctor’s offices. (Rev. 05/23/15, Amendment #127)</p> <p>6.2.29. Private storage buildings, subject to the requirements of Section 17.23. Rev. 05/23/15, Amendment #127)</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>Under ARTICLE 9 – M-AF AGRICULTURE AND FORESTRY MANAGEMENT DISTRICT</p> <p>SECTION 9.3. USES REQUIRING SPECIAL LAND USE PERMITS</p> <p>9.3.1. See ARTICLE 17, SUPPLEMENTAL REGULATIONS for standards and conditions for special uses and ARTICLE 18, SPECIAL LAND USE (SLU) PERMIT PROCEDURES AND STANDARDS for instructions on applying for permits.</p> <p>9.3.2. Automobile repair and service and gasoline stations.</p> <p>9.3.3. Assembly, Educational or Social Event Facility</p> <p>9.3.4. Public parks and recreational areas, playgrounds and campgrounds.</p> <p>9.3.5. Bar and Restaruant -Entertainment and eating establishments.</p> <p>9.3.6. Commercial Hunting and fishing cabins. (Rev. 04/28/00, Amendment #14)</p> <p>9.3.7. Golf courses, country clubs and sportsmen’s associations or clubs.</p> <p>9.3.8. Grocery and party stores.</p> <p>9.3.9. Resorts, resort hotels, recreation farms, vacation lodges, motor inns, motels and other tourist lodging facilities.</p> <p>9.3.10. Slaughter houses and meat packing plants.</p> <p>9.3.11. Travel trailer courts, tenting areas and general camping grounds.</p> <p>9.3.12. Public airports and landing fields, with appurtenant facilities.</p> <p>9.3.13. Non-essential public utility and service buildings.</p> <p>9.3.14. Nursing or convalescent homes.</p> <p>9.3.15. Animal feedlots or piggeries.</p> <p>9.3.16. Earth removal, quarrying, gravel processing, mining and related mineral extraction businesses.</p> <p>9.3.17. Commercial kennels, pet shops, and veterinary hospitals according to Section 17.16. (Rev.11/23/09, Amendment #81)</p> <p>9.3.18. Junk yards, salvage yards and waste disposal sites. (Rev. 04/26/08, Amendment #75)</p> <p>9.3.19. Commercial composting (Rev. 04/28/00, Amendment #14)</p> <p>9.3.20. Contractor’s Yards, provided all of the following requirements are met: (Rev. 12/24/03, Amendment #26)</p> <p>9.3.20.1. Minimum 10 acre parcel.</p> <p>9.3.20.2. Minimum 330’ of road frontage / lot width.</p> <p>9.3.20.3. Minimum Setbacks: 100’ front; 75’ side; 100’ rear.</p> <p>9.3.20.4. All related equipment and materials must be stored within an enclosed building, not to exceed 5,000 square feet, or screened from view from public or private roads and adjoining properties under different ownership behind a wooden fence or greenbelt.</p> <p>9.3.20.5. Buildings and uses permitted herein shall only be approved for parcels occupied by the parcel owner and which shall contain the owner’s primary residence.</p> <p>9.3.21. Public and private wind generation and anemometer towers. (Rev. 06/17/04, Amendment #31)</p> <p>9.3.22. Uses which are not expressly authorized in any zoning district, either by right or By special use permit, or uses which have not been previously authorized by the Planning Commission pursuant to this subsection or corresponding subsections in other zoning districts may be allowed in this zoning district by special use permit if the Planning Commission determines that the proposed use is of the same general character as the other uses allowed in this zoning district, either by right or by special use permit, and the proposed use is in compliance with the applicable requirements of the Cheboygan County Comprehensive Plan for this zoning district. (Rev. 04/26/08, Amendment #75)</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>SECTION 9.3. USES REQUIRING SPECIAL LAND USE PERMITS (Continued)</p> <p>9.3.23 Child Caring Institutions, subject to the requirements of Section 17.24. (Rev. 04/28/10, Amendment #85)</p> <p>9.3.24 Indoor Storage Facilities, subject to requirements of section 17.27.1. (Rev.05/25/13, Amendment #116)</p> <p>Under ARTICLE 10 – P-LS LAKE AND STREAM PROTECTION DISTRICT</p> <p>SECTION 10.3. USES REQUIRING SPECIAL LAND USE PERMITS</p> <p>10.3.1. See ARTICLE 17, SUPPLEMENTAL REGULATIONS for standards and conditions for special land uses and ARTICLE 18, SPECIAL LAND USE PERMIT PROCEDURES AND STANDARDS for instructions on applying for special land use permits.</p> <p>10.3.2. Campgrounds, camps and clubs for recreational use. (Rev. 09/20/03, Amendment #23)</p> <p>10.3.3. <i>(reserved for future use)</i></p> <p>10.3.4. Retail stores and shops.</p> <p>10.3.5. Boat liveryes, marinas and launching ramps.</p> <p>10.3.6. Golf courses, driving ranges and country clubs. (Rev. 09/20/03, Amendment #23)</p> <p>10.3.7. Motels and hotels.</p> <p>10.3.8. Duplexes, multi-family and apartment buildings.</p> <p>10.3.10. Assembly, Educational or Social Event Facility</p> <p>10.3.11. Housing of any animals other than pet dogs and/or cats.</p> <p>10.3.12. Use of any parcel of waterfront property as a common use area for access to the water by one (1) or more non-waterfront single family dwelling(s). (See Section 10.4.4) (Rev. 02/23/11, Amendment #90)</p> <p>10.3.13. Public access sites.</p> <p>10.3.14. Bar and Reataurant <u>Restaurant/Bar</u> (Rev. 04/28/00, Amendment #14)</p> <p>10.3.15. Bed & Breakfasts (Rev. 05/17/06, Amendment #57)</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>Under ARTICLE 13 – D-VC VILLAGE CENTER</p> <p>SECTION 13.2. PERMITTED USES</p> <p>13.2.1 Any use permitted in the D-RS District.</p> <p>13.2.2 Bar and Restaurant Bars and taverns.</p> <p>13.2.3 Bed and Breakfasts.</p> <p>13.2.4 Bowling alleys, pool or billiard parlors.</p> <p>13.2.5 Chambers of Commerce.</p> <p>13.2.6 Day care centers.</p> <p>13.2.7 Farm product stands.</p> <p>13.2.8 Grocery and party stores.</p> <p>13.2.9 Offices</p> <p>13.2.10 Parking lots and garages.</p> <p>13.2.11 Restaurants.</p> <p>13.2.12 Retail sales establishments, General.</p> <p>13.2.13 Retail sales establishments, Household.</p> <p>13.2.14 Retail sales establishments, Specialty.</p> <p>13.2.15 Theaters, excluding drive-in theaters. (Rev. 09/28/11, Amendment #92)</p>
	<p>Under ARITCLE 13A – VC-IR VILLAGE CENTER INDIAN RIVER DISTRICT</p> <p>SECTION 13A.2. PERMITTED USES</p> <p>13A.2.1. Bowling alleys, pool or billiard parlors</p> <p>13A.2.2. Artisan workshop which may include an artisan residence</p> <p>13A.2.3. Bakeries</p> <p>13A.2.4. Bar, Restaurant and Restaurant, carryout Bars and taverns.</p> <p>13A.2.5. Bed and Breakfasts.</p> <p>13A.2.6. Day care centers.</p> <p>13A.2.7. Farm product stands, farmers markets</p> <p>13A.2.8. Grocery and party stores.</p> <p>13A.2.9. Home occupations subject to Section</p> <p>13A.2.10. Hotels and motels</p> <p>13A.2.11. Multiple-family housing</p> <p>13A.2.12. Offices</p> <p>13A.2.13. Restaurant</p> <p>13A.2.14. Retail sales establishments, General</p> <p>13A.2.15. Retail sales establishments, Household</p> <p>13A.2.16. Retail sales establishments, Specialty</p> <p>13A.2.17. Single-family, two-family dwellings.</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>Under ARTICLE 13B VC-IR-O VILLAGE CENTER INDIAN RIVER OVERLAY DISTRICT SECTION 13B.2.</p> <p>13B.2.1. Bakeries</p> <p>13B.2.2. Bar , Restaurant and Restaurant , carryout Bars and taverns-</p> <p>13B.2.3. Bed and Breakfasts.</p> <p>13B.2.4. Farmers markets which meet the Michigan Department of Agriculture's Generally Accepted Agricultural Management Practices for Farm Markets</p> <p>13B.2.5. Home occupations subject to Section 17.21.</p> <p>13B.2.6. Multiple-family housing</p> <p>13B.2.7. Offices</p> <p>13B.2.8. Restaurant</p> <p>13B.2.9. Retail sales establishments, General</p> <p>13B.2.10. Retail sales establishments, Household</p> <p>13B.2.11. Retail sales establishments, Specialty</p> <p>13B.2.12. Single-family, two-family dwellings according to Section 13A.4.3.</p> <p>SECTION 13B.3. USES REQUIREING SPECIAL LAND USE PERMITS</p> <p>13B.3.1. Arcades, bowling alleys, pool or billiard parlors.</p> <p>13B.3.2. Artisan workshop which may include an artisan residence</p> <p>13B.3.3. Farm product stands, farmers markets</p> <p>13B.3.4. Grocery and party stores.</p> <p>13B.3.5. Visitor Center</p> <p>Under ARTICLE 13C VC-T VILLAGE CENTER TOPINABEE DISTRICT</p> <p>SECTION 13C.2. PERMITTED USES</p> <p>13C.2.1. Arcades, bowling alleys, pool or billiard parlors.</p> <p>13C.2.2. Artisan workshop which may include an artisan residence</p> <p>13C.2.3. Bakeries</p> <p>13C.2.4. Bar, Restaurant and Restaurant carryout Bars and taverns</p> <p>13C.2.5. Detached single family dwellings</p> <p>13C.2.6. Farm product stands, farmers markets</p> <p>13C.2.7. Grocery and party stores</p> <p>13C.2.8. Home occupations subject to Section 17.21</p> <p>13C.2.9. Hotels and Motels</p> <p>13C.2.10. Multi-family housing</p> <p>13C.2.11. Offices</p> <p>13C.2.12. Restaurants</p> <p>13C.2.13. Retail sales establishments, General</p> <p>13C.2.14. Retail sales establishments, Household</p> <p>13C.2.15. Retail sales establishments, Specialty</p> <p>13C.2.16. Two family dwellings according to Section</p>

Notes	Proposed Changes to Zoning Ordinance 200 regarding uses related to Bars and Restaurants
	<p>Under ARTICLE 13D VC-T VILLAGE CENTER TOPINABEE OVERLAY DISTRICT SECTION 13D.2.</p> <p>13D.2.1. Bars, Restaurant and Restaurant , carryout Bars and taverns.</p> <p>13D.2.2. Farmers markets which meet the Michigan Department of Agriculture's Generally Accepted Agricultural Management Practices for Farm Markets.</p> <p>13D.2.3. Home occupations according to Section 17.21.</p> <p>13D.2.4. Real Estate Offices (see Section 13D.4.2.b.)</p> <p>13D.2.5. Restaurants</p> <p>13D.2.6. Retail sales establishments, General</p> <p>13D.2.7. Retail sales establishments, Household</p> <p>13D.2.8. Retail sales establishments, Specialty</p> <p>13D.2.9. Single family dwellings according to Section 13D.4.1</p>



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: September 7, 2017

To: Planning Commission

From: Scott McNeil, Planner

Re; Zoning Ordinance Amendment regarding zoning ordinance amendment relating to Office, Health and fitness center and Personal service center uses.

Included with this memo is a draft ordinance amendment dated 9/6/17 relative to the subject.

Section 1 of the amendment document provides new definitions for Health and fitness center and Personal service center.

Section 2 provides a new definition for Office.

Section 3 provides for Health and fitness center and Personal service center to be allowed in the Commercial Development zoning district with site plan review approval.

Section 4 provides for Personal service center to be allowed in the Indian River Village Center and Indian River Village Center Overlay zoning districts with site plan review approval.

I will look forward to further discussion on this matter with the Planning Commission at the next regular meeting. Please contact me with questions.

9/6/17

CHEBOYGAN COUNTY
ZONING ORDINANCE AMENDMENT # _____

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE TO OFFICE, HEALTH AND FITNESS CENTER AND PERSONAL SERVICE CENTER USES.

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical location which shall read in their entirety as follows:

Health and fitness center

An establishment where passive or active exercises and/or use of equipment or apparatus for health maintenance and improvement, weight control, muscle building and muscle massage may take place. Associated merchandise and health food may also be sold.

Personal service center

An establishment where barbering, cosmetology and other nonmedical body treatment services may be offered including body massage, nail care and tanning. Associated merchandise may also be sold.

Section 2. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to change the following definition which shall read in its entirety as follows:

Office.

The use of a building or portion of a building for conducting the affairs of a profession such as architectural, accounting, education, engineering, governmental, insurance, legal, real estate, stock broker and similar services.

Section 3. Amendment of Section 6.2.

Section 6.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following sections 6.2.30. and 6.2.31. which shall read in their entirety as follows:

6.2.30. Health and fitness center

6.2.31. Personal service center

Section 4. Amendment of Sections 13A.2. and 13B.2.

Section 13A.2. and 13B.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following sections 13A.2.18. and 13B.2.13. which shall read in their entirety as follows:

13A.2.18. Personal service center

13B.2.13. Personal service center

Section 5. Severability.

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 6. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

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