



# CHEBOYGAN COUNTY PLANNING COMMISSION

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## CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, AUGUST 21, 2019 AT 7:00 P.M. ROOM 135 - COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

**PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson, Delana  
**ABSENT:** None  
**STAFF:** Jen Merk, Mike Turisk  
**GUESTS:** Eric Boyd, Cal Gouine, Bob Lyon, Carl Muscott, Russell Crawford, Cheryl Crawford, John Moore, Hunter Nivison, Brian Fullford, Chris Dicus

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. The Planning Commission agreed to add "Discussion On Enforcement As Presented To The Cheboygan County Board Of Commissioners" under Unfinished Business. **Motion** by Mr. Kavanaugh, seconded by Mr. Borowicz, to approve the amended agenda. Motion carried unanimously.

### APPROVAL OF MINUTES

The August 7, 2019 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Ostwald, to approve the meeting minutes as presented. Motion carried unanimously.

### PUBLIC HEARING AND ACTION ON REQUESTS

**TY LAPRAIRIE/TIGER BY THE TAIL, LLC** - Requests an amendment to a Special Use Permit per section 18.11 of the Zoning Ordinance to construct two additional indoor storage facilities and outdoor area for boat storage per sections 6.3.16 and 6.3.14, respectively. The property is located at 5138 S. Straits Hwy. and 5142 S. Straits Hwy., Tuscarora Township, section 35, parcel # 161-035-200-013-00 and 161-035-200-014-00 and is zoned Commercial Development (D-CM).

Ms. Merk reviewed the background information contained in the staff report.

Ms. Croft asked for public comments. Mr. Dicus stated his concerns about dust and noise he experiences at his home, which is located to the north of the subject parcel. Public comment closed.

The Planning Commission reviewed and approved the General Findings, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to:

1. Department of Building Safety requirements be met
2. Cheboygan County Road Commission requirements be met
3. Outside storage is limited to boats with trailers including personal watercraft
4. Hours of operation will be 6:00am - 10:00pm
5. Screening buffer required on the north side

Motion carried unanimously.

**IBS CONTRACTING, INC./DAVE FERNELIUS** - Requests an amendment to a Special Use Permit per section 18.11 of the Zoning Ordinance. The amendment request consists of improving and expanding the existing asphalt parking lot and

construction of an additional catch basin. The property is located at 10459 N. Straits Hwy., 10429 N. Straits Hwy., 10407 N. Straits Hwy, Inverness Twp., section 7, parcel # 095-007-400-009-05, 092-007-400-009-03 and 092-007-400-011-00 and is zoned Commercial Development (D-CM).

Ms. Merk reviewed the background information contained in the staff report.

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

The Planning Commission reviewed and approved the General Findings, the Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the special use permit based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to:

1. Department of Building Safety requirements be met
2. Soil and Sedimentation requirements be met
3. MDOT requirements be met

Motion carried unanimously.

#### **UNFINISHED BUSINESS**

Discussion was held regarding full time enforcement officer justification and material to be submitted to the Cheboygan County Board of Commissioners to justify the full time enforcement officer position.

#### **NEW BUSINESS**

Mr. Borowicz stated that Cheboygan County should require, when developing a parcel, that a portion of the natural buffer be retained if there is an existing natural buffer. Ms. Croft stated that people start clearing the property before anyone knows that there is a project intended for the site. Mr. Kavanaugh believes this is important and noted that there was a public comment regarding the buffer for Mr. LaPrairie's application. Mr. Kavanaugh stated that staff should recommend that the applicant consider a buffer before attending the Planning Commission meeting. Discussion was held.

#### **STAFF REPORT**

Mr. Turisk stated that at previous meetings stated Planning Commission training has been discussed. Mr. Turisk stated that on October 2, 2019, Brian Graham (legal counsel) will attend the meeting to discuss marijuana, ex-parte communication, legal non-conformances and non-conformances. Mr. Turisk asked the Planning Commission to provide staff with other topics that may need discussion.

Mr. Turisk stated adult use marijuana license applications will be unveiled at various statewide educational sessions next month. Mr. Turisk stated that the expectation is that these applications will be available online on November 1, 2019. Mr. Turisk stated that applications will formally be accepted after November 1, 2019.

Mr. Turisk stated that the City of Cheboygan is asking for public feedback for public art and on Saturday, August 24, 2019 at 2:00pm a public art plan including public feedback will be unveiled.

#### **PLANNING COMMISSION COMMENTS**

Mr. Kavanaugh noted that both site plans that were reviewed tonight were complete and it is nice to have all the data. Ms. Croft agreed with Mr. Kavanaugh.

Mr. Delana noted that Mr. Moore brought up the issue of short term rentals at the previous meeting and asked if the Planning Commission wanted to address commercial versus residential septic. Mr. Borowicz stated that this is an issue that should be referred to the Health Department. Discussion was held.

#### **PUBLIC COMMENTS**

Mr. Muscott stated he brought up the issue of enforcement approximately half a year ago. Mr. Muscott stated Emmet County has a better practice. Mr. Muscott stated he does not know if Emmet County has a full time enforcement officer or if all the staff keeps their eyes open and report any issues. Mr. Muscott stated he filed two complaints today with the Department of Building Safety. Mr. Muscott stated that he has reported special use permits that are in violation to Mike Peltier. Mr. Muscott stated that if you start a project in Emmet County without zoning approval it will cost twice as much as it would have if you obtained zoning approval prior to starting the project. Mr. Muscott stated this was eliminated in Cheboygan and that only

letters are mailed to the property owner. Mr. Muscott stated that Tuscarora Township does not send out multiple letters regarding long grass. Mr. Muscott stated that Tuscarora Township sends one letter or tapes it on the door and you have 10 days to cut your grass or you will receive a ticket. Mr. Muscott explained the layout and content of Emmet County's enforcement report. Mr. Muscott stated that he reviewed enforcement issues regarding special use permits with Mike Peltier. Mr. Muscott encouraged the Planning Commission to report complaints to Mike Peltier.

**ADJOURN**

**Motion** by Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:42pm.

A handwritten signature in cursive script, appearing to read "Charles Freese", written over a horizontal line.

Charles Freese  
Planning Commission Secretary