



CHEBOYGAN COUNTY PLANNING COMMISSION

870 SOUTH MAIN ST., ROOM 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ TDD: (800)649-3777

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, SEPTEMBER 7, 2016 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk
ABSENT: Borowicz, Churchill
STAFF: Scott McNeil
GUESTS: Bob Lyon, Russ Bobcean, Donna Bobcean, Eric Boyd, Tony Matelski, Carl Muscott, John Moore, Russell Crawford, Cheryl Crawford, Gretchen Frost, Justin Baumgardner, Peyton Frost, David Yaczik, Cheryl Yaczik, Greg Drogowski

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

Mr. Jazdyk stated his concerns regarding the 09/07/16 Planning Commission packet being over 170 pages. Mr. Jazdyk stated there are many items that are on the agenda and is concerned that the Planning Commission is not doing a fair job of looking at all of these items. Mr. Jazdyk stated that the agenda should be pared down. Mr. McNeil stated that the Planning Commission can revise the agenda and remove some of the items if they are not comfortable reviewing all of these items.

APPROVAL OF MINUTES

The August 17, 2016 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Jazdyk, to approve the meeting minutes as presented. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

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 August 17, 2016 Planning Commission meeting.*)

Mr. McNeil stated this special use permit request for a salvage yard has been adjourned since it was first heard on August 3, 2016. Mr. McNeil stated that this parcel is zoned Agriculture and Forestry Management and a salvage yard is allowed with a special use permit. Mr. McNeil stated that the applicant has submitted an update to his application and site plan. Mr. McNeil referred to the site plan and indicated that there is a proposed 8ft. high berm on three sides and an existing wooded area for blocking of vision for the 100ft. x 120ft. salvage area.

Mr. McNeil referred to the staff report and stated that John Ozoga from the DEQ has submitted recommendations for conditions of approval. Mr. McNeil stated that in case the Planning Commission decides to approve this application, staff makes the following recommendations:

1. Establish hours of operation as referenced in the written plan.
2. No junk automobiles or other junk vehicles or equipment.
3. Conditions of approval shall be controlling when in conflict with the written plan dated 8/30/16.

Mr. Kavanaugh stated that there are items that still need to be cleaned up on the site. Mr. Kavanaugh stated that Mr. Ozoga noted which items should be cleaned up and that he (Mr. Ozoga) would like to be present to do an evaluation. Mr. Kavanaugh stated his concerns regarding the applicant having months to take care of the existing violations. Mr. Kavanaugh stated that there has been a slight improvement, but during this time period when we have been working with the applicant, not much has improved.

Mr. Freese stated he is concerned with the clean up of this site and the screening. Mr. Freese believes the berm is a good idea, but will be inadequate for proper screening as it is only 8ft. high. Mr. Freese would like to see evergreens (i.e. white pine and/or spruce) planted at the top of the berm. Mr. Freese stated that there have been comments that this is a rezoning request. Mr. Freese stated that this is not a rezoning request. Mr. Freese stated that this is a use that is allowed in the Agriculture and Forestry Management Zoning District if the conditions are met for the special use permit. Mr. Freese stated that Mr. Frost has accumulated a lot of items for which there is no basis for having on the site. Mr. Freese stated that a lot of the limbs, branches and leaves could have been burned if there is no burn ban and as long as nothing is being burned that is prohibited. Mr. Freese stated that a lot of material (by the buildings and road) should be cleaned up. Mr. Freese stated that furniture that is to be recycled should not be just covered up with a tarp. Mr. Freese stated that if there is a building to put these items in it would take care of some of the objections.

Mr. Jazdyk stated that he liked Mr. Kavanaugh's comment and the recommended condition regarding no junk automobiles, vehicles or equipment. Mr. Jazdyk agreed with Mr. Freese regarding keeping the furniture in building rather than tarps. Mr. Jazdyk stated it may not be adequate to keep these items under tarps for over a year. Mr. Jazdyk questioned how big of an area will need a tarp. Mr. Jazdyk questioned how staff will enforce maximum time and minimum time conditions.

Mr. Bartlett stated that when walking the property he encountered 7 or 8 piles of stumps. Mr. Bartlett stated that he does not believe that a berm will cover these stumps. Mr. Bartlett stated that a berm and trees will not screen this site as the road is too high. Discussion was held regarding Mr. Frost burning the stumps.

Ms. Croft asked for public comments. Mr. Bobcean questioned who will monitor this situation. Mr. Bobcean stated this salvage yard will be a detriment to this area. Mr. Bobcean stated his property is zoned Residential and is located ¼ of a mile from this site. Mr. Bobcean stated his concerns regarding a salvage yard being located next to a ski trail. Mr. Bobcean believes that this site should be monitored. Mr. Bobcean that there is a \$20 surcharge on taxes for recycling in Indian River. Mr. Bobcean stated that there is no dump or transfer station and he pays for trash pickup. Mr. Bobcean stated that if this is approved, there will be trucks and trailers hauling other people's trash from other townships, cities and counties into this neighborhood and it will be for profit. Mr. Bobcean asked if this permit is approved, what will happen if Mr. Frost moves out of the house. Mr. Bobcean asked if this will still remain a salvage yard. Mr. McNeil stated it could remain a salvage yard.

An audience member asked if a future owner of this property could take the salvage yard in a different direction than Mr. Frost. Mr. McNeil stated that the salvage yard is limited to the plan that Mr. Frost has submitted. Mr. McNeil stated that a subsequent owner would have to abide by Mr. Frost's plan or come back to ask the Planning Commission for approval to an amendment.

An audience member asked what will happen if Mr. Frost's request is denied. Mr. McNeil noted that this would be an enforcement issue. Ms. Croft and Mr. Freese explained that some of Mr. Frost's operation is currently in violation of the Zoning Ordinance. Mr. McNeil noted that some of the personal items do not fall under the salvage yard. The audience member stated that he would like to see Mr. Frost continue his business but not be approved for a permit to expand. Mr. McNeil stated that Mr. Frost's plan would take care of this as he describes what is done in conjunction with his operation. Mr. McNeil stated that Mr. Frost would be bound to this along with the Planning Commission's approval and other conditions.

Mr. Drogowski agreed with Mr. Bobcean's concerns. Mr. Drogowski stated the main concern is monitoring this site and enforcement.

An audience member asked who would take care of enforcement. Mr. McNeil stated that enforcement will be handled by DEQ and Cheboygan County Planning and Zoning Department. The audience member asked if Mr. Frost is in compliance. Mr. McNeil stated that Mr. Frost is not in compliance and that is why Mr. Frost has submitted a request for a special use permit. The audience member stated that Mr. Frost should be in compliance before any permits are approved. Discussion was held.

Ms. Frost stated that Mr. Frost has removed all of the metal from the back and the wood will be gone as it was sold. Ms. Frost stated that they wrote a letter to all of their neighbors inviting them to a party to let them know what they are doing. Ms. Frost stated that not all of the neighbors were able to come to the party, but the neighbors who did come to the party

understood what they are trying to do. Ms. Frost stated that they would like to have a burn party to try to get rid of some of the items. Ms. Frost stated that before the application process started they were told by Mr. Schnell to not touch anything until they received a decision from the Planning Commission. Ms. Frost asked if they can burn some of the items now. Mr. Freese stated that the berm is the only item that Mr. and Mrs. Frost should not have started as the Planning Commission may not have thought that it would be adequate screening. Mr. Freese stated that the applicants could have cleaned up the site and burned the wood, brush and leaves anytime burning was allowed. Discussion was held.

Public comment closed.

Ms. Lyon asked what is the dimension of the salvage yard area. Mr. McNeil stated the salvage yard area will be approximately 100ft. x 120ft. but it appears a bit wider on the site plan.

Motion by Mr. Freese, seconded by Mr. Bartlett, to grant the topography waiver request. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

The Planning Commission added the following to the General Findings, "The hours of operation for the salvage operation will be 8:00am – 5:00pm, Monday through Friday. There will be 5 employees."

Mr. Ostwald asked if this business will continue to operate in the winter. Ms. Frost stated that there is not much associated with this business that is done in the winter. Ms. Frost explained that they do snow plowing in the winter time.

The Planning Commission reviewed and approved 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 with the following conditions:

1. The operation of the facility shall be in full compliance with Part 115, Solid Waste Management, of Natural Resources and Environmental Protection Act being act 451 of 1994.
2. Only source separated materials for recycling as defined by Part 115, 324.1150., Section 11506 (6) shall be temporarily stored on site.
3. Source separated materials shall not be allowed to be speculatively accumulated on site in violation of Part 115, R299.4105, Rule 105 (I).
4. No storage or processing of solid waste per Part 115, 324.11506, Section 11506(3) or (4) is authorized.
5. No burning or burial of solid waste is allowed at the facility.
6. No junk automobiles or other junk vehicles or junk equipment on the property.
7. Conditions of approval shall be controlling when in conflict with the written plan dated 8/30/16.
8. The berm shall have a minimum of 3 foot high evergreens planted on the top of the berm every 6 feet apart.
9. No toxic or hazardous waste material to be accumulated on site.
10. Furniture/household items are to be kept in an enclosed building.
11. Material to be enclosed within the bermed area and segregated by type (scrap wood, treated wood, wood, recyclable materials, rubbish, yard clippings) in accordance with the state regulations governing.
12. All material to be enclosed within the bermed area and no further accumulation of salvage material until the rest of the area is cleared and the material within the bermed area is separated.
13. Letter from John Ozoga that standards of the State of Michigan have been met.
14. Letter from Zoning Administrator that approval standards and conditions have been met before accepting new materials.
15. Berm is to be completed before accepting new materials
16. Zoning Administrator to monitor no less than monthly for the first year. After one year, the Zoning Administrator is to monitor no less than every six months.

Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

JOHN ALEXANDROWSKI / ALEXANDROWSKI PROPERTIES, LLC - Requests an amendment of a special use permit for outdoor boat storage at a Marina - Section 10.3.5. The property is located at 4605 Beatty Drive, Bowersock Road and Inland Route Drive, Koehler Twp., section 8, parcel #171-008-300-004-00 parcel #171-008-300-013-00, and is zoned Lake and Stream Protection (P-LS) and Agriculture and Forestry Management. The area proposed for outdoor boat storage is zoned Lake and Stream Protection (P-LS).

Mr. McNeil referred to a site plan that was approved by the Planning Commission in 2006. Mr. McNeil explained that the site plan was in conjunction with a marina use and a proposed residential condominium. Mr. McNeil stated that the prior residential condominium was not put into effect, so the prior resort use still remains. Mr. McNeil stated that with regards to the marina use, the site plan provides for the marina activities. Mr. McNeil stated that the applicant is asking for outdoor storage of boats. Mr. McNeil noted the proposed areas for boat storage on the site plan and stated that these areas are zoned Lake and Stream Protection which allows for marina uses. Mr. McNeil stated that there is an area that is currently zoned Agriculture and Forestry Management and there was an approval for the marina use in 2006. Discussion was held regarding the areas that are zoned Lake and Stream Protection and the areas that are zoned Agriculture and Forestry Management.

Mr. Freese noted that the Planning Commission authorized storage of trailers on the other side of Bowersock Road to the east. Mr. Jazdyk stated that the Planning Commission received a letter from a neighbor stating that there is a parking lot across Bowersock Road. Discussion was held regarding the parcel across the road being used for boat storage. Mr. Alexandrowski stated that he does not own the parcel across the road.

Mr. Kavanaugh referred to a letter from Mark and Carolyn Malaski and asked Mr. Alexandrowski how many boats there will be stored and what size boats will be stored. Mr. Kavanaugh asked if storage will be for customers of The Landings. Mr. Alexandrowski stated that people like to store their boats inside and he is proposing shrink wrapping his pontoon boats and putting them outside in front of the building. Mr. Alexandrowski stated this will free up more space inside to accommodate more boats that are docked at The Landings. Mr. Alexandrowski stated maximum pontoon boat length will be 24 feet. Mr. Alexandrowski stated he owns 2 pontoon boats that are 24 feet, 1 pontoon boat that is 22 feet, 2 pontoon boats that are 20 feet, 1 pontoon boat that are 16 feet and 1 pontoon boat that is 24 feet. Mr. Kavanaugh asked if a stipulation of 10 pontoon boats owned by the applicant would be acceptable to Mr. Alexandrowski. Mr. Kavanaugh asked if this would be for a short period during the off season. Mr. Alexandrowski stated from October through April. Discussion was held.

Mr. Jazdyk referred to the 2006 site plan and stated that it provided for 96 standard parking spaces, 9 vehicle trailer parking and asked if the 9 of those that are proposed to be removed will create any problems. Mr. Freese stated that this parking was for all of the uses that were proposed for this site even though it was never completed. Mr. McNeil stated that there is a lot of parking.

Mr. Kavanaugh asked Mr. Alexandrowski if a time limitation for customers to pick up their boats would be acceptable. Mr. Alexandrowski stated that he can't control when people come off of the lake. Mr. Alexandrowski noted that there is a county boat launch adjacent to his property. Mr. Alexandrowski stated that there are vehicles with trailers that are already parked at 7:45am and they have been there sometimes as late as 9:00pm. Mr. Alexandrowski stated it is hard to dictate to anyone when they can come off of the water.

Mr. Freese stated the neighbor's concern is the view from across the street. Mr. Freese stated on the site plan there is a solid line of trees along Inland Route Drive, however, it is jack pines that you can see through. Mr. Freese stated the neighbors' objections would be minimized if those trees were removed and white pines or spruce were put in that would block the view from across the street. Mr. Alexandrowski stated that he talked with the neighbors and explained that he is dealing with 28 years of deferred maintenance. Mr. Alexandrowski explained that he would like to get this cleaned up and that it has been a huge undertaking. Discussion was held regarding replacing the jack pine with white pines or spruce.

Ms. Croft asked for public comments. Ms. Malaski stated that she lives at 4597 Inland Route Drive, which is directly across the road from this parcel. Ms. Malaski stated that the Planning Commission has listened to the public's concerns in the past and has taken these concerns into consideration when making a decision. Ms. Malaski explained that they have owned their property for over 44 years and they have observed the numerous changes in ownership of The Landings over the years. Ms. Malaski noted that there have been many requests for changes at The Landings throughout the years. Ms. Malaski stated that she and another neighbor have submitted letters to the Planning Commission and their concerns are the size of boats that are stored, the length of storage, property values, lack of adequate landscaping and lighting. Ms. Malaski stated that she was responding to the proposal that was submitted but what is being presented tonight is somewhat different. Ms. Malaski stated this is the first time that they are hearing about this proposal. Ms. Malaski stated that outside storage of boats is not consistent with the residential area. Ms. Malaski stated that the proposal, as written, does not provide enough detail or specific information regarding boat storage. Ms. Malaski stated that she is glad that there has been clarity on the kinds of questions she had in her letter. Ms. Malaski stated that at this time she is asking that the Planning Commission not approve the request as written. Public comment closed.

Mr. Kavanaugh stated that the Planning Commission had similar questions and concerns when looking at this application. Mr. Kavanaugh stated that the number of boats, lighting and screening are important to the adjacent property owners and may be conditions if the request is approved.

Mr. Freese stated that the topography waiver request is not necessary and noted that no new lighting is proposed. The Planning Commission added the following to the General Findings:

7. The number of boats to be limited to those owned by the applicant with a maximum of 10.
8. Screening of the storage area on the south-west side to be provided by a new tree line consisting of white pine or spruce, as required.

The Planning Commission reviewed and approved 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 amended special use permit based on the General Findings as amended, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

DAVID YACZIK - Requests a site plan review for a carry out restaurant - Section 6.2.9. The property is located at 1479 S. Straits Hwy, Tuscarora Twp., section 7, parcel #162-007-300-003-01, and is zoned Commercial Development (D-CM).

Mr. McNeil stated that the proposed carry out restaurant is proposed in a Commercial Development Zoning District so site plan review is required. Mr. McNeil stated that the applicant is proposing a carry out restaurant in an existing structure. Mr. McNeil stated that there is an existing driveway and the applicant is proposing 6 parking spaces which meets the requirement. Mr. McNeil stated the proposed hours are 10:00am to 3:00pm.

Mr. Kavanaugh asked where the well is located. Mr. Yaczik stated the well is located on site and it is a shared well with the house. Mr. McNeil stated that staff recommendations include meeting Building Code and Health Department requirements as conditions.

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

Motion by Mr. Freese, seconded by Mr. Bartlett, to grant the topography waiver request. Motion carried.

The Planning Commission added the following to the General Findings:

5. The hours of operations will be from 10:00am to 3:00pm.
6. There will be no outside hired employees.

The Planning Commission reviewed and approved the Specific Findings of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with approval from the Health Department, Department of Agriculture, Department of Building Safety, and Cheboygan County Road Commission. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

An Ordinance To Amend Section 17.19. Of The Cheboygan County Zoning Ordinance No 200 To Provide Definitions, Regulations And Standards For Signs.

Mr. McNeil explained that this ordinance amendment is proposed as a result of a Supreme Court decision known as Reed vs. Town of Gilbert where the Supreme Court ruled that sign regulation based on the content or message of a sign is unconstitutional. Mr. McNeil stated that this amendment removes any references to signs based on the message. Mr. McNeil stated that this amendment proposed to remove the definitions of Neighborhood identification sign, Noncommercial sign, Off-premise sign, Political sign and Real Estate Sign. Mr. McNeil explained that there has been a revision of sections 17.19.2 regarding signs which do not require a permit and section 17.19.3 regarding prohibited signs where most of the current content-based regulation exists. Mr. McNeil noted that references to off-premise signs have been removed and clarifying language regarding billboard regulated by the State of Michigan has been provided.

Ms. Croft asked for public comments. Mr. Moore referred to section 17.19.2.B and stated that this section will cover political signs. Mr. Moore asked if this section has been compared to election law. Mr. McNeil stated he believes it has been compared to election law. Mr. Moore stated that any political sign in the county is illegal before the election. Mr. Moore stated election law says duration. Discussion was held regarding there being a conflict between the election law and the Zoning Ordinance. Mr. Moore suggested including language "...unless allowed under any other governing statute of the State of Michigan". The

Planning Commission agreed with Mr. Moore's suggested language. Mr. Freese asked Mr. McNeil to have this language reviewed by legal counsel. Mr. Moore referred to section 17.19.2H and stated that there may be similar issues with this section as well. Discussion was held.

Mr. Moore referred to section 17.19.3.B and questioned who will tell the County Treasurer that the auction signs can not be posted on trees. Mr. McNeil stated that these signs could be considered a governmental sign. Mr. Moore stated that some people have a huge boulder with their name on it. Mr. Moore questioned why this should be an issue. Mr. McNeil stated that this language has been in the ordinance, but he can remove it and ask legal counsel to review.

Mr. Lyon referred to section 17.19.05.C and stated that 11ft. should be increased. Mr. McNeil stated that the governing body will have jurisdiction whether to allow a sign or not. Discussion was held. Public comment closed.

Motion by Mr. Kavanaugh, seconded by Mr. Ostwald, to table the public hearing for the amendment until the 09/21/16 Planning Commission meeting. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Croft, Ostwald, Lyon, Jazdyk), 0 Nays, 2 Absent (Borowicz, Churchill)

UNFINISHED BUSINESS

Review Of Proposed Zoning Ordinance Amendment Regarding Mobile Food Units

Mr. McNeil stated that he has added a definition of vehicle to the proposed amendment. Mr. McNeil stated that he changed the time frame to be placed on a lot to 120 days. Mr. McNeil stated that this limitation by days may not serve a purpose due to the seasonal nature of the area. Mr. McNeil stated this language was in other examples that he reviewed. Mr. Freese stated that this area is self-limiting. Mr. Kavanaugh stated this section should be removed.

Mr. McNeil stated that there was a discussion about having one zoning permit covering multiple sites for a mobile food unit. Mr. McNeil stated that he discussed this with Mr. Schnell. Mr. McNeil stated that Mr. Schnell would rather not have one zoning permit that would cover multiple sites. Mr. McNeil stated that at this point mobile food units would be required to have site plan review under a restaurant. Mr. McNeil stated that requiring a permit for each site makes sense from a record keeping standpoint. Mr. McNeil stated that there could be a recommendation for a fee reduction. Ms. Lyon stated that it may be better to have a license. Mr. Freese stated that the mobile food unit may be at many locations throughout the day. Mr. Kavanaugh stated that this should be one permit. Mr. Freese agreed with Mr. Kavanaugh and stated that they will have a legal agreement with the property owner of each of the sites. Mr. McNeil stated that the property owner will have to sign the application. Mr. Freese stated if there will be 10 sites that they are applying for they will need signatures from the 10 property owners. Mr. McNeil noted that we structure the fee for the permit on the effort of review. Mr. McNeil noted that this use will require more review than for any other use as there will be multiple sites. Mr. McNeil noted that each site and site plan will have to be reviewed individually to make sure it meets the conditions of the ordinance. Discussion was held. Mr. Kavanaugh noted that in a big city a mobile food unit could visit multiple factories during the day. Mr. Kavanaugh stated that we should be reasonable and set a limit of 5 and possibly charge a different fee. Mr. McNeil stated that the cities have more flexibility as they issue a license for a mobile food unit. Mr. Moore stated that in many cases a mobile food unit may just park in a legal parking space on the street. Mr. Moore questioned where a 3 wheel pushman cart selling popcorn would fall into this regulation. Mr. Freese stated that these are not covered by this amendment as they are on the highway. Mr. McNeil stated that they can be deferred to the Road Commission. Mr. Moore stated that the person who is trying to locate it off the street is being penalized. Mr. McNeil noted that currently site plan review is required for this use. Mr. Moore stated that if the owner parks it on the street nothing is required. Mr. McNeil stated that MDOT and Road Commission will cover these activities in the right-of-way. Ms. Ostwald stated that one permit should cover all of Cheboygan. Mr. Jazdyk stated he does not see paying more money as a viable option at all. Mr. Jazdyk stated that the applicant should not have to get the owner's signature on the application as the owner may live far away. Mr. McNeil noted that the owner's signature is required for all applications. Mr. Kavanaugh stated that we require the property owner's signature for a special use permit. Mr. Kavanaugh explained that currently this type of use would be reviewed by the Planning Commission and this amendment is loosening up the requirements. Mr. Kavanaugh stated that this is a benefit to have a specific number approved under one zoning permit. Mr. McNeil stated that currently, these mobile food units should have site plan review if in a Commercial Development Zoning District. Mr. McNeil stated that the fee for a site plan review amendment is \$110.00. Mr. McNeil explained that this fee would be a separate fee for each parcel that an application is submitted. Mr. McNeil stated that this amendment will bring the fee down to \$30.00 per zoning application and is reviewed by the Zoning Administrator instead of Planning Commission review. Discussion was held.

Review Of Proposed Zoning Ordinance Amendment Regarding Planned Unit Development

Mr. McNeil stated that the Planning Commission's concerns regarding a PUD being consistent with the Master Plan have been reviewed by legal counsel. Mr. McNeil stated that Mr. Graham wrote a memo and cited the Zoning Enabling Act and that all land use decisions are to be based on a plan. Mr. McNeil noted that it does not necessarily have to be based on a master plan,

but Cheboygan County has a master plan. Mr. McNeil stated that the ordinance provides for the mixing of uses and it still has to be uses that are allowed in that zoning district.

Mr. McNeil stated that he discussed the Cheboygan County Board Of Commissioners position and approval of this amendment with Jeff Lawson. Mr. McNeil stated that he will review this proposed amendment with the Cheboygan County Board Of Commissioners at a future meeting.

Discussion Of Draft Boat House Survey

Mr. McNeil stated that a draft introduction letter and draft survey has been provided for the Planning Commission to review. Mr. Freese referred to the first sentence of the third paragraph of the letter and suggested changing "boathouse structures" to "boat shelters (roof, but no sides) over existing boat wells or those authorized for construction in the future on the Cheboygan River, Indian River and Lower Black River and canals directly connected to them." Mr. Freese stated that the survey is opening it up to proposing solid boat house structures and he was not proposing that degree of latitude. Discussion was held regarding boat shelters with sides obstructing a view scape. Mr. Freese referred to Mr. Schnell's memo and stated that he does not want to see solid boat houses and tiki houses. Mr. Kavanaugh agreed with Mr. Freese. Mr. Freese noted that tiki houses are allowed as long as setback requirements are met.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil noted that a copy of the judge's order regarding Grandview Beach Association vs. Cheboygan County was provided for the Planning Commission to review. Discussion was held.

PLANNING COMMISSION COMMENTS

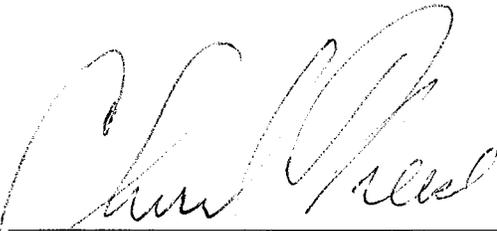
Discussion was held regarding enforcement issues.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:02 pm.



Charles Freese
Planning Commission Secretary