



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, JANUARY 20, 2021 AT 7:00 P.M. ROOM 135 – COMMISSIONER'S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Lyon, Delana, Thompson
ABSENT: None
STAFF: Mike Turisk, Jen Merk
GUESTS: Laz Surabian

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

APPROVAL OF AGENDA

The meeting agenda was presented. Ms. Croft stated that Amendment #160 under Unfinished Business will be heard before the Mandy Cook special use permit under Scheduled Public Hearing. **Motion** by Mr. Freese, seconded by Mr. Bartlett, to approve the agenda as revised. Motion carried unanimously.

APPROVAL OF MINUTES

The December 16, 2020 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Thompson, to approve the meeting minutes as presented. Motion carried unanimously.

UNFINISHED BUSINESS

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

Mr. Turisk stated that there have been some comparatively minor changes to formatting. Mr. Turisk referred to Table 1 and noted that Mr. Freese has concerns regarding signage in our Natural Rivers Protection Zoning and Resources Conservation Zoning District. Mr. Turisk stated that in accordance with the zoning regulation privately owned lands are not a part of the Resource Conservation District in Cheboygan County and the number of signs allowed in this district has been winnowed down. Mr. Turisk stated that the Natural Rivers Protection Zoning District is comparatively restrictive in terms of the uses that are permitted (single family dwellings and small rental cabins) and this is the rationale for winnowing down the types of signs permitted in this district. Mr. Turisk stated that the only signs that will be permitted in these two districts are incidental and temporary signs.

Mr. Turisk stated that he has talked with legal counsel regarding this amendment. Mr. Turisk explained that the amendment has been revised and an email was sent to each Planning Commissioner with the updated amendment. Mr. Turisk stated that the amendment has been reformatted for ease of understanding. Mr. Turisk stated that a single freestanding sign is permitted on every lot in the Commercial Development Zoning District even if adjacent lots are not under the same ownership. Mr. Turisk stated that freestanding signs would be allowed on every lot with adjacent lots under the same ownership, however, provided that each lot is used as an independent development site. Mr. Turisk stated that Subsection 2.A.3 indicates that a single freestanding sign would be allowed on a single unified development site that consists of contiguous single ownership lots. Mr. Turisk stated that every lot, regardless of the length of public or private right of way, is allowed a freestanding sign. Mr. Turisk stated there was discussion regarding allowing additional freestanding signs if the subject property meets certain dimensional requirements or characteristics. Mr. Turisk stated that the single freestanding sign that is permitted regardless of the length of the public or private right of way is not subject to the minimum 100ft. spacing or separation requirement. Mr. Turisk stated this is noted in Subsection B. Mr. Turisk stated this permits one additional freestanding sign for each additional 100ft. of right of way up to a maximum of 2 additional freestanding signs. Mr. Turisk stated that under these circumstances they are allowed, but the minimum 100ft. spacing requirement would need to be met for signs on the same lot or contiguous lots on the same side of the public or private right away.

Mr. Turisk stated that Subsection D was added in regards to sign surface regulations. Mr. Turisk stated that 80sf is the maximum square footage for all freestanding signs whether it is a single frontage or two frontages. Mr. Turisk stated that for a corner lot the property owner would be allowed up to 80sf per frontage.

Mr. Freese stated that although he had originally requested that the Natural Resources Protection Zoning District and Resource Conservation Protection Zoning District signage be reduced to incidental and temporary signs, he recalled that home occupations are authorized in all zoning districts and might therefore need a freestanding sign advertising their business. Ms. Freese therefore wishes to change the column under Natural Resources Protection Zoning District and Resource Conservation Protection Zoning District for freestanding signs in Table 1 to a S. Mr. Graham asked if this was to be signage only approved with a sign permit. Mr. Freese stated yes. Mr. Graham stated that this could be clarified by adding a footnote under Table 1 indicating freestanding sign is authorized only as part of a home occupation permit. Mr. Freese further stated that the Natural Resources Protection Zoning District and Resource Conservation Protection Zoning District columns under Table 2 should be revised to reflect the sign authorized as part of a home occupation. Mr. Freese stated that these columns should read under both zoning categories a maximum sign surface of 8, a maximum height of 6, a maximum from setback of 5 and a maximum number per lot of 1.

Mr. Freese stated that in Section 17.19.8.3 (Additional Signs) the intent of this sentence is to limit the types of additional signs to only two of the categories of signage listed in Table 3. Mr. Freese stated that in fact for commercial businesses it is frequently necessary to utilize temporary signs for various business purposes and that with a restriction to two types of signs, a temporary sign would not be authorized if the business already had two types of signs such as wall and window signs already in existence. Mr. Freese stated that the sentence should be corrected to allow temporary signs by changing it to read "In addition to the number of freestanding signs as permitted in subsection 17.19.8.2 a lot may include temporary signs and signs from no more than 2 (two) of the categories as specified in table 3 below." Discussion was held on freestanding sign requirements and footnotes.

Mr. Graham stated he understood that the Planning Commission wanted the property owners to be able to have at least one freestanding sign without the need for a variance. Mr. Graham stated that a single lot will be allowed one freestanding sign without having to request a variance. Mr. Graham stated that if there is one owner with five lots that are owned by the same company (a restaurant on one lot, a hardware store on another lot, a barber shop on another lot, etc.) they are considered independent developments. Mr. Graham stated that even though the lots are contiguous and under the same ownership, each lot would be allowed its own freestanding sign. Mr. Graham stated that if there are five lots that are contiguous lots and under the same ownership but yet the property owner has developed those five lots as a single development site, such as a car dealership, they are allowed one freestanding sign for that single development site. Mr. Thompson asked if this will affect temporary signs. Mr. Freese stated that this does not affect temporary signs. Mr. Borowicz stated that this addresses the concerns he noted at the January 6, 2020 meeting. Mr. Delana stated that his concerns from the last meeting are also reserved by the revised amendment.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to schedule a public hearing on February 17, 2021 for Amendment #160. Motion carried unanimously.

SCHEDULED PUBLIC HEARING

Mandy Cook - A request for a special use permit for a commercial kennel land use, per Section 9.3.17 of the Zoning Ordinance (Commercial kennels, pet shops, and veterinary hospitals according to Section 17.16.)

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

Mr. Kavanaugh asked how Ms. Cook will handle the dog waste. Ms. Cook explained it will be worked into the ground during the summer month and during the winter months it will be taken to a dumpster at her residence. Ms. Cook explained that there is an area behind her house in the woods where the dog waste will be used as fertilizer. Mr. Freese asked if the dog waste is being transported by garbage can or garbage bag to Ms. Cook's residence. Ms. Cook stated yes. Mr. Kavanaugh questioned if it would be worthwhile to have the dog waste picked up on site by a waste disposal company. Ms. Cook stated she has originally planned to do this but due to COVID-19 she hasn't had any business and this hasn't been an issue. Ms. Cook stated that she will have a dumpster in the future.

Mr. Kavanaugh stated he would like to see if there are any comments from Animal Control regarding this application. Mr. Kavanaugh asked if the applicant will be required to meet Animal Control standards. Mr. Freese noted that staff has suggested that if the request is approved that there should be a condition requiring the applicant to meet Animal Control requirements. Discussion was held regarding Animal Control requirements.

Mr. Freese stated his concerns regarding screening. Mr. Freese stated that dogs react to what they hear, smell and see. Mr. Freese stated that the outside play area is not screened from the south or the area abutting the parking lot. Mr. Freese stated that he does not believe that screening on the parking lot side will be beneficial as the dogs will still be able to hear the cars and they will still bark. Mr. Freese stated that we do not have to worry about screening in that small area. Mr. Freese stated that on the south side there is a private drive and the regulation requires screening so that the dogs can't see traffic. Mr. Freese suggested requiring evergreens along the fence line. Ms. Merk stated that there is partial screening with the existing vegetation along South Straits Highway and also to the south. Ms. Merk stated that there is a slope with vegetation to the north and to the west. Ms. Merk stated that Mr. Freese is talking about screening on the actual fence to completely block off the view. Ms. Cook stated that she talked with both neighbors and they were surprised to find out that this business has been open for a year as they have not heard any barking. Ms. Cook stated that she has been open for a year and has not received any complaints. Mr. Freese stated that there will be no requirement for the screening on that side.

Mr. Kavanaugh stated it will be worthwhile to have a dumpster on site instead of carrying waste to where Ms. Cook lives and then trying to get rid of it. Ms. Cook stated that she has looked into a dumpster. Mr. Freese stated that the Planning Commission can require that a dumpster be provided once the kennel license is issued. Mr. Thompson agreed with Mr. Kavanaugh and Mr. Freese.

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

Motion by Mr. Freese, seconded by Mr. Kavanaugh to waive the topography requirement. Motion carried unanimously. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh to waive the stamped engineered drawing requirement. Motion carried unanimously.

The Planning Commission reviewed and approved the General Findings. 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. Kavanaugh, seconded by Mr. Freese, to approve the special use permit based on the General Findings, Findings of Fact Under Section 17.16, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 with the following conditions:

1. Prior to operation, the applicant shall have an on-site sewage disposal and well system evaluation by the District Health Department #4.
2. All dog enclosures shall be screened so that any activity on neighboring parcels or public or private streets shall not be visible to dogs.
3. The applicants shall obtain and maintain a kennel license for the commercial kennel facility from Cheboygan County Animal Control.
4. All dogs must be housed within completely enclosed buildings between the hours of 10:00pm and 8:00am, per the requirements of Section 17.16 of the Zoning Ordinance.
5. The applicant shall provide the Planning and Zoning Department the Acceptance of Conditions form to be attached to the special land use approval letter within thirty (30) calendar days from the date of the approval letter. This form shall be signed by the owner(s) of the subject property. The applicable building permit application(s) shall include a site plan in conformance with this special land use that meets all applicable site development standards (such as minimum required setbacks from property boundaries) and appropriate building permit fees, as applicable. Permits must be issued within twelve (12) months from the date of the special land use approval letter (unless an extension request is approved, pursuant to Section 18.12.a., as amended), otherwise the special land use may be deemed void upon thirty (30) days written notification to the applicant.
6. Any changes to the approved special use shall be subject to review by the Planning and Zoning Department and may require approval by the Planning Commission.
7. It is the applicant's responsibility to obtain any additional permits or meet additional conditions, if any, that may be applicable to the land use pursuant to other federal, state, or local laws or regulations.
8. Dumpster required on site for animal waste.
9. Remove sign that does not meet the standard.
10. Provide copy of kennel license to the Planning and Zoning Department.

Motion carried unanimously.

NEW BUSINESS

No comments.

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

Mr. Turisk stated that Michigan Association of Planning is offering a risk management workshop via Zoon on Tuesday, March 6, 2021 from 6:00pm to 8:30pm. Mr. Turisk stated that the Planning and Zoning Essential workshop is directed towards new planning commission members but it is suggested that it is a good refresher for those who are more experienced looking to build upon their existing knowledge base. Mr. Turisk stated that this workshop will be held on Wednesday, March 3, 2021 and Thursday, March 4, 2021 from 6:00pm to 8:00pm and also Tuesday, March 23, 2021 and Wednesday, March 24, 2021 from 1:00pm to 3:00pm. Mr. Turisk stated that the Michigan Association of Planning is also offering a new option where we can choose from a variety of topics for a workshop. Mr. Turisk stated that he will email this information to the Planning Commission members. Mr. Turisk asked the Planning Commission members to email or call him if they would like to sign up for any of these workshops.

Mr. Turisk stated that there will be a joint work session with the Board of Commissioners by the end of the first quarter of this year.

Mr. Turisk stated that the waste hauler discussion will continue at the February 3, 2021 Planning Commission meeting.

PLANNING COMMISSION COMMENTS

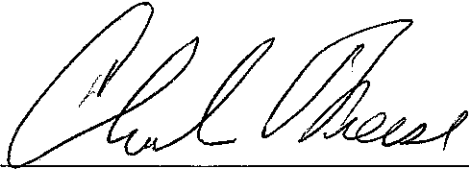
No comments.

PUBLIC COMMENTS

Mr. Surabian stated that he is the Mullett Township Supervisor. Mr. Surabian thanked the Planning Commission for their professionalism.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:08pm.



Charles Freese
Planning Commission Secretary