



# 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, FEBRUARY 19, 2020 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

SCHEDULED PUBLIC HEARING

1. Proposed Amendment #154 to Cheboygan County Zoning Ordinance No. 200 that would amend Sections 2.2, 17.21 and 17.23 and regards amended definitions and zoning standards for agricultural, private storage and workshop buildings, and amended zoning standards for home occupation uses.

NEW BUSINESS

UNFINISHED BUSINESS

1. Continued discussion regarding possible Zoning Ordinance amendment relative to zoning standards for signs.

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURNMENT



# CHEBOYGAN COUNTY

## PLANNING AND ZONING 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/](http://www.cheboygancounty.net/planning/)

### MEMORANDUM

Date: February 12, 2020 for the February 19, 2020 Planning Commission meeting

To: Planning Commissioners

From: Michael Turisk, Planning Director *MTD*

**Re: Final Draft of Zoning Ordinance Amendment #154 – Home Occupations and Storage Buildings**

Planning Commissioners,

Attached is the *final* draft of Ordinance Amendment #154 that includes changes per the Planning Commission's direction on December 18, 2019 and discussed on January 15, 2020. Recall that the most significant elements of the amendment include allowing for toilet facilities and/or washbasins/vanities in Agricultural Buildings and Private Storage/Workshop Buildings (but prohibiting bathtub and shower facilities).

Furthermore, regarding Home Occupation uses, the amendment provides clarification regarding the triggers for zoning permit submittal, as well as codifying language that would allow for the occasional sale of incidental items or products associated with a Home Occupation.

See you on Wednesday.

*Michael Turisk*

Enclosure(s):

Final Draft of Ordinance Amendment #154

CHEBOYGAN COUNTY ZONING ORDINANCE  
AMENDMENT #154

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE  
TO HOME OCCUPATIONS AND STORAGE BUILDINGS

**Section 1. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Ordinance 200 is hereby amended to delete the following Definition:

**PRIVATE STORAGE BUILDING**

A building or structure that is used for private non-commercial storage of materials that are owned by the property owner and used only by the property owner and does not have permanent facilities for living, sleeping, cooking, and/or sanitation including but not limited to a toilet facility.

**Section 2. Amendment of Section 2.2.**

Section 2.2. of the Cheboygan County Ordinance 200 is hereby amended to amend the following Definitions which shall read in their entirety as follows:

**AGRICULTURAL BUILDING**

A building that is used principally for agricultural storage, with no provisions for overnight living or sleeping areas. Accessory private non-commercial storage and/or home workshop activities are permitted in Agricultural Buildings. A toilet facility and/or washbasin/vanity are permitted in an Agricultural Building; however, bathtub and shower facilities are prohibited.

**PRIVATE STORAGE BUILDING/WORKSHOP BUILDING**

A detached building or structure used for private, noncommercial storage, and/or home workshop purposes, with no provisions for overnight living or sleeping areas that is owned by the property owner, used only by the property owner and does not have permanent facilities for living, sleeping and/or cooking, nor used for residential purposes. A toilet facility and/or washbasin/vanity are permitted in a Private Storage Building/Workshop Building; however, bathtub and shower facilities are prohibited.

**Section 3. Amendment of Section 17.21.**

Section 17.21. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

**SECTION 17.21. HOME OCCUPATIONS (Rev. \_\_/\_\_/20, Amendment #154)**

Cheboygan County recognizes the desire and/or need of some citizens to use their residence, specified accessory building for small business activities in order to reduce trip generation and to provide another economic development tool, but it also recognizes the need to protect the surrounding areas from adverse impacts generated by these small business activities.

**17.21.1 ADMINISTRATION**

A. Home Occupations require a zoning permits when the Home Occupation includes any of the following. (Any Home Occupation that does not include any of the following may be established without a zoning permit:)

- 1.) One additional on site, non-resident employee.
- 2.) Any commercial signage.

- 3.) Results in additional parking for or in additional traffic from customers.
- 4.) Any commercial deliveries or pick ups of materials or supplies used in the Home Occupation.

B. No Home Occupation that requires a zoning permit shall be conducted until a zoning permit has been issued by the Zoning Administrator. The application for the zoning permit shall include the following:

- 1.) The type of business and business activities.
- 2.) The number of employees.
- 3.) The vehicles used in the Home Occupation.
- 4.) The number of expected customer visits per day.
- 5.) The number of expected deliveries/drop offs.
- 6.) Additional information as may be determined necessary.

#### **17.21.2 PERMITTED USES FOR HOME OCCUPATIONS**

It is recognized that this list may not be totally inclusive. The Zoning Administrator shall determine whether a request is similar to a following listed use as to approve or deny:

- A. Home offices, including architects, counselors, clergy, doctors, dentists, engineers, attorneys, contractors, and accountants
- B. Home studios, including artists, sculptors, musicians, photographers, and authors
- C. Personal services, including barbershops and beauty parlors
- D. Instructional services, including music, dance, art, and craft classes
- E. Repair services, including small appliances, small engines, and computers/electronics
- F. Workrooms, including weaving and woodworking
- G. Day care homes

#### **17.21.3 STANDARDS**

Any Home Occupation that requires a zoning permit shall comply with all of the following applicable standards:

- A. Home Occupations shall be conducted within the principal residential structure or specified, permitted accessory building.
- B. Customer visits and delivery vehicles are limited to the hours of 8am to 7pm.
- C. Delivery vehicles are limited to passenger vehicles, mail carriers, and express carriers.
- D. Nonresident employees on the premises are limited to one (1) at any one time.
- E. Home Occupations shall not create traffic, visible displays, vibrations, heat, noise, odors, dust, glare, or other similar nuisances not normally found in the surrounding area.
- F. Home Occupations shall not generate waste or sewage in volume or type that is not normally associated with residential use.
- G. The occasional sale of commercial items that are incidental to the Home Occupation shall be permitted.

#### **17.21.4. CONDITIONAL APPROVALS**

The Zoning Administrator may impose reasonable conditions with the approval of an application for a Home Occupation, pursuant to Section 17.21.3 of this Ordinance.

#### **Section 4. Amendment of Section 17.23.**

Section 17.23. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

**SECTION 17.23 PRIVATE STORAGE BUILDINGS/WORKSHOP BUILDINGS AND USES (Rev. \_\_/\_\_/20, Amendment #154)**

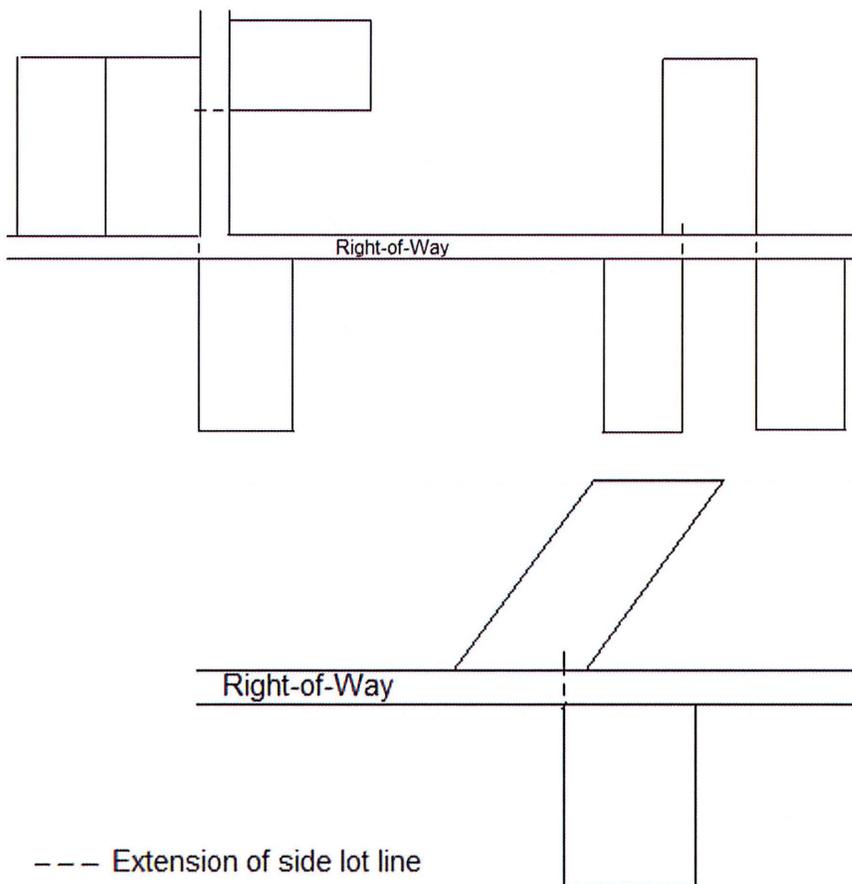
Cheboygan County recognizes the desire and/or need of some citizens to have a parcel that is used primarily for indoor storage of items that are typically used in a home or to store equipment used for maintenance of a single-family home or enjoyment by the residents of a single-family home. A Private Storage Building/Workshop Building is a primary use, not subordinate to another use on the same property.

**17.23.1 STANDARDS**

The following standards apply to Private Storage Buildings/Workshop Buildings and uses in the Residential (D-RS), Rural Character/Country Living (D-RC) and Lake and Stream Protection (P-LS) zoning districts. Private Storage Buildings/Workshop Buildings that are allowed in other zoning districts do not have to abide by this section, but must follow all other applicable standards.

- a. The structure(s) shall not serve as a residence or dwelling of any kind.
- b. Placement of a Private Storage Building/Workshop Building on the property shall be situated to allow placement of a future dwelling, well and septic field, if required.
- c. No Home Occupations or Home Occupation related activities can occur on the property or within the building(s).
- d. Only goods and material storage are permitted in Private Storage Buildings/Workshop Buildings. The buildings are not to be used for human habitation at any time.
- e. If within thirty (30) feet of a side property line, all such Private Storage Buildings/Workshop Buildings must be screened from view of the side property lines with a solid evergreen hedge with a minimum height of six (6) feet or privacy fence with a minimum height of six (6) feet.
- f. No more than two (2) Private Storage Buildings/Workshop Buildings are allowed per acre of contiguous property under the same ownership as recorded with the office of the register of deeds with a maximum of four (4) storage/workshop buildings allowed for all properties under the same ownership.
- g. The total floor area of the foot print(s) of all Private Storage Buildings/Workshop Buildings on the same lot of record or on one or more contiguous lots of record under the same ownership, as recorded with the office of the register of deeds, shall comply with the following applicable requirements:
  1. If the area of the lot of record or the area of the contiguous property on which the Private Storage Buildings/Workshop Buildings are located is two (2) acres or less, then the total floor area shall be no more than 1,600 square feet.
  2. If the area of the lot of record or the area of the contiguous property on which the Private Storage Buildings/Workshop Buildings are located is more than two (2) acres but is three (3) acres or less, then the total floor area shall be no more than 3,200 square feet.
  3. If the area of the lot of record or the area of the contiguous property on which the Private Storage Buildings/Workshop Buildings are located is more than three (3) acres, then the total floor area shall be no more than 6,000 square feet.

- h. In the P-LS district, all Private Storage Buildings/Workshop Buildings must meet a minimum setback from the water's edge of 50 feet and must meet all other applicable setbacks for the zoning district in which located.
- i. The structure(s) may not be used to house or support animals of any type.
- j. The structure(s) cannot be used for any commercial and/or business uses including the storage of materials, vehicles or other items used for commercial or business purposes.
- k. A toilet facility and/or washbasin/vanity are permitted in the Private Storage Building/Workshop Building; however, bathtub and shower facilities are prohibited.
- l. Contiguous lots of record for purposes of Section 17.23.1.e and Section 17.23.1.f. shall also include lots of record separated by a right-of-way, but only when at least one of the lot's side lot lines when extended over the right-of-way either aligns with a side lot line of the other lot or is located between the side lot lines of the other lot as illustrated by the following diagrams;



**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

By:  
John B. Wallace  
Its: Chairperson

By:  
Karen L. Brewster  
Its: Clerk



# CHEBOYGAN COUNTY

## PLANNING AND ZONING 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/](http://www.cheboygancounty.net/planning/)

### MEMORANDUM

Date: February 13, 2020 for the February 19, 2020 Planning Commission Meeting

To: Planning Commissioners

From: Michael Turisk, Planning Director 

**Re: Continuing Discussion Regarding Proposed Amendment of Section 17.19 of Zoning Ordinance No. 200 (Signs)**

Planning Commissioners,

Recall that our initial discussion on February 5 regarding Section 17.19 was borne out of the Board of Commissioners' recent direction to collectively consider our current zoning standards for signs, particularly those applicable to adopted dimensional standards for freestanding signs in our Commercial Development zoning districts. Recall that after our discussion on February 5 the Planning Commission communicated its intent to revisit this topic at our next regular meeting on February 19. To this, in the interim, it may be of value to consider the following as we prepare for our discussion on Wednesday:

#### **Freestanding Sign Requirements**

Section 17.19 currently allows up to three freestanding signs, each up to 25-ft. in height and 80 sq.-ft. of sign surface area per parcel in our Commercial Development zoning districts. An unintended possible scenario given these standards would be for 240 sq.-ft. of sign surface area to be permitted on an individual parcel and on multiple signs. That said, however, in a possible effort to adopt a measure of enhanced regulatory flexibility in the manner in which freestanding signage is regulated in the County's Commercial Development districts we might, for example, consider:

- Permitting fewer freestanding signs, but allowing for larger individual sign surface area than the current 80 sq.-ft. standard. Alternatively (or in conjunction with larger sign surface area), permit freestanding signs greater than 25-ft. in height in the Commercial Development districts to enhance visibility.
- Maintain the 80 sq.-ft. sign surface area standard if the property on which the sign is to be located has up to 200-ft. of public road frontage (and toward which the freestanding sign is oriented). However, consider permitting larger individual sign surface area as a function of public road frontage distance (e.g., properties with more than 1/8-mile (660-ft.) of public

road frontage may have an additional freestanding sign for each additional distance (?) of public road frontage, *or* may have a single freestanding sign with a sign surface area larger than the current 80 sq.-ft. standard [e.g., 100 sq.-ft.]).

**Variances from Dimensional Standards:**

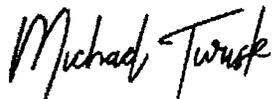
Although dimensional variance applications for signage may be considered under the provisions of Article 23 (*Zoning Board of Appeals*), in order to render distinction, perhaps codifying regulatory flexibility in the establishment and use of signage by having the Zoning Board of Appeals consider dimensional variances with the following considerations or rationales:

- Would the individual sign be part of coordinated or joint signage?
- Would the sign's applicability and function serve our tourism economy?
- Would the sign conflict with viewsheds or established land uses on adjacent properties?
- Would the sign improve public convenience?
- Would the sign be in harmony with the spirit of the Master Plan?

Not unlike other dimensional variance applications, the Zoning Board of Appeals would also need to consider the standards for land use hardship or "practical difficulty," such as unique characteristics of the property (such as constraints presented by natural features) and the potential impact on adjacent land uses.

Question: If the Planning Commission decides to move forward with an amendment intended to relax dimensional standards for freestanding signs, would we do so across the board, or target specific areas? We will delve deeper into this question and more on Wednesday evening.

As always, feel free to reach out should you have questions.

A handwritten signature in black ink that reads "Michael Turusk". The signature is written in a cursive, slightly slanted style.

Enclosure(s):