



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, JANUARY 15, 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 HEARINGS

UNFINISHED BUSINESS

1. Discussion regarding proposed amended Zoning Ordinance Amendment #154 relative to Home Occupations and Storage Buildings.
2. Discussion regarding proposed Amendment #155 relative to Nonconforming Buildings or Structures, Properties and Uses.

NEW BUSINESS

1. Zoning Enforcement Report
2. 2020 Planning Commission meeting calendar
3. Annual Election of Officers

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURNMENT



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, DECEMBER 18, 2019 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

- PRESENT:** Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson
ABSENT: Delana
STAFF: Mike Turisk
GUESTS: Eric Boyd, Bob Lyon, John F. Brown, Cal Gouine, Carl Muscott, John Moore, Russell Crawford, Cheryl Crawford

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. Borowicz, seconded by Ms. Lyon, to approve the agenda as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Delana)

APPROVAL OF MINUTES

The November 20, 2019 Planning Commission minutes were presented. **Motion** by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the meeting minutes as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Delana)

PUBLIC HEARING AND ACTION ON REQUESTS

Final Draft of Zoning Ordinance Amendment #154 relative to Home Occupations, Limited Commercial Enterprise Uses, Storage, and Workshop Buildings.

Mr. Turisk presented the staff report on the proposed amendment #154 and explained the changes since the last draft. Mr. Turisk then went through an explanation of the entire amendment, paragraph by paragraph for the benefit of the public. Discussion was then held by the Planning Commission. Mr. Kavanaugh stated that he is still concerned with allowing commercial activities in private storage buildings which are not located on parcels the owner’s dwelling. He stated that such use would not be operated and maintained in the same manner as would be the case as if it were on the same parcel with the owner’s dwelling. Mr. Freese pointed out that the restrictions on the proposed limited commercial enterprise would be the same as if it were a home occupation and that allowing such use would encourage potential business development in the County and that if such uses went beyond the limits proposed any such business would have to go to the next step of either moving to an acceptable location or seeking any necessary variances and then applying for a special use permit. Mr. Freese stated that ensuring that any uses of this type did not exceed the limits of the ordinance would depend entirely upon the ability to enforce such limits.

Mr. Freese pointed out that the definitions of agricultural/private storage/workshop building, private storage building, and private storage/workshop building listed in the proposed amendment were virtually identical and should be combined into one term.

Ms. Croft asked for public comments. Mr. Muscott stated that he felt allowing limited commercial enterprises would adversely impact existing commercial businesses which have followed existing regulations by obtaining necessary permits and paying all required fees to operate in Commercial zoning districts. Mr. Muscott also stated that allowing such uses in other districts would adversely affect property values.

Mr. Gouine stated that he does not feel limited commercial enterprises are appropriate and therefore should not be allowed.

Public comment closed.

Motion by Mr. Freese, seconded by Mr. Borowicz, to send proposed amendment #154 to the Cheboygan County Board of Commissioners with a recommendation for approval. Motion failed. 2 Ayes (Freese, Borowicz), 6 Nays (Bartlett, Kavanaugh, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Delana)

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to send an amended amendment #154 to the Cheboygan County Board of Commissioners with a recommendation for approval after deletion of all material regarding limited commercial enterprises and the consolidation of agricultural/private storage/workshop building, private storage building, and private storage/workshop building. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Delana)

UNFINISHED BUSINESS

No comments.

NEW BUSINESS

Tim Maylone, CEO and Managing Member, Cherry Capital Connection, LLC, regarding fiber-optic services development in Cheboygan County for enhanced high-speed wireless connectivity.

Mr. Maylone stated that Master Plans are updated approximately every 10 years. Mr. Maylone stated that a digital economy grows the wealth opportunities for the constituents, but does not impact infrastructure. Mr. Maylone stated that a digital economy requires fiber. Mr. Maylone stated that Cherry Capital Connection decided that starting in 2019 100% of everything that they do must relate to fiber. Mr. Maylone stated that they will start with towers in 2020 but they plan on having 300 customers on fiber in Presque Isle County within a two year period. Mr. Maylone stated that the Cheboygan County Master Plan set a goal to encourage efficient broadband implementation using local providers. Mr. Maylone stated that they are local as they are based out of Elk Rapids and will have an office in this region in the next 3-5 years. Mr. Maylone stated that since they are expanding in the Cheboygan area they have helped Cheboygan County achieve that Master Plan goal. Mr. Maylone stated that this regulation is compliant with FCC. Mr. Maylone stated that the Cheboygan County telecommunication ordinance is in line with the Zoning Enabling Act, which is in line with the FCC rules. Mr. Maylone stated that Cheboygan County Planning & Zoning Department has been easy to work with in the past. Mr. Maylone stated that previously they were classified as a title one company by the Federal government and they have been classified as a title two company. Mr. Maylone stated that they are classified as a competitive local exchange carrier (CLEC). Mr. Maylone stated that they are local and are a wireless internet service provider. Mr. Maylone stated that they are a fiber internet service provider (FISP) also. Mr. Maylone stated that they are an entity that delivers the internet to the residential market. Mr. Maylone reviewed work completed by Merit and noted that it was taken into consideration during the 2014 Master Plan update. Mr. Maylone stated Merit did not do everything that they were supposed to do but they did a really good job of creating a resource used by the private industry and public industry. Mr. Maylone stated this created more opportunities to bring fiber closer to Cheboygan. Mr. Maylone stated that there are still huge gaps. Mr. Maylone congratulated the Cheboygan County GIS Department on providing data to them in a GeoJSON format which is a new format for their digital designing tools. Mr. Maylone stated Cheboygan County is one of the first that provided this data in the format that they need.

Mr. Maylone explained that in the past \$2000 would have allowed for the purchase of two internet devices. Mr. Maylone stated that today \$2000 will buy 15 internet devices. Mr. Maylone stated the cost of devices have gone down. Mr. Maylone explained that the capabilities of the devices have increased. Mr. Maylone stated that his customers in this rural area use 300-500 gigs per household per month. Mr. Maylone stated that AT&T plans used to talk about 5-10 gig per month. Mr. Maylone stated that about 10% of his customer base is using over 1 terabyte per month.

Mr. Maylone reviewed a coverage map and explained the types of internet service that are offered by Cherry Capital Connection in Cheboygan County.

Mr. Maylone congratulated the Planning Commission on defining the needs for a rural remote area and that these needs should be revised during the Master Plan update. Mr. Maylone challenged the Planning Commission to think about every buildable parcel in Cheboygan County being connected to fiber. Mr. Maylone provided an update on the Wartella Road project in Benton Township and noted that he would like to be able to tie into Merit's fiber infrastructure which is located near Cheboygan Cement Plant. Mr. Maylone stated that there are many companies trying to bring fiber to the region so that companies like Cherry Capital Connection can bring it to the home. Mr. Maylone noted that MEDC grants that are available and explained how to apply for the grant.

Mr. Maylone stated that the key to Cherry Capital Connection is the subscribers and the Wartella Road project was located on a parcel with a dwelling. Mr. Maylone stated that the property owner went door to door and got 66% of the neighbors to sign up. Mr. Maylone stated this commitment from the neighbors justified this project.

Mr. Maylone stated that 5G is called Next Generation.

Mr. Maylone stated that according to the census, 81% of households have computers, but only 67% of households have broadband. Mr. Maylone stated that there are 11,348 households in Cheboygan County. Mr. Maylone explained that this is 15.8 per households per square mile. Mr. Maylone stated that Cherry Capital Connection needs a high adoption rate to commit to a neighborhood. Mr. Maylone stated that they need a commitment for the \$249 installation and the \$68 a month subscription fee.

Mr. Maylone stated that they have worked with the Cheboygan County Board of Commissioners, Cheboygan County Planning Commission, Cheboygan County Zoning Board of Appeals and the Cheboygan County Road Commission. Mr. Maylone stated they try to identify their costs and if there are variances or working together that helps them to lower their costs it is much easier to get the job done.

Mr. Maylone stated that subscribers are demanding better internet service. Mr. Maylone stated that they would like to see MEDC and NEMCOG more actively involved in what they are doing. Mr. Maylone stated that they would also like to see the City and Village Councils involved. Mr. Maylone stated that he will be doing a presentation to all the Cheboygan County townships at the Michigan Township Association on January 30, 2019. Mr. Maylone stated that they are working with Presque Isle Electric and Gas. Mr. Maylone stated that they need to know the employment atmosphere for those using fiber in Cheboygan County. Mr. Maylone provided an update on the Wartella Road tower project.

Mr. Maylone stated that since the 2014 Master Plan update the library is not the central spot for the internet as it is needed everywhere. Mr. Maylone stated that libraries are solving a great need for many people and it should be continued. Mr. Maylone stated that we should also be able to extend fiber to low income housing. Mr. Maylone stated that encouraging businesses to invest in the at risk areas should be part of the Master Plan update.

Mr. Maylone explained that fiber allows you to prepare for your internet needs 30-50 years down the road. Mr. Maylone stated that they want to create a transport that creates a sustainable economy for Cheboygan County. Mr. Maylone stated that their business model is founded in investing in the communities where they construct. Mr. Maylone stated they want to know what Cheboygan County's needs are so they can respond. Mr. Maylone stated that they will be applying for a tower in Grant Township in the next few months.

Draft Zoning Ordinance Amendment #155 relative to Nonconforming Buildings or Structures, Properties and Uses.

Mr. Turisk stated that the need to revise Article 22 was discussed with legal counsel in October 2019. Mr. Turisk stated that nonconforming buildings, structures, properties and uses are those that were established prior to the effective date of the ordinance. Mr. Turisk stated that nonconforming buildings, structures, properties and uses are allowed to continue with certain restrictions regarding expansion in particular. Mr. Turisk stated that this amendment is intended to provide clarity with respect to process. Mr. Turisk stated the most obvious component of the amendment is that nonconformance's will be divided into categories. Mr. Turisk reviewed Section 22.3 of the proposed amendment and explained Class A Nonconformities and Class B Nonconformities. Mr. Turisk stated that all nonconformities are considered Class B unless the applicant applies for Class A status. Mr. Turisk stated that the Planning Commission can grant a Class A designation based on Section 22.3.C. Mr. Turisk stated that the proposed amendment allows for routine repair and maintenance of a nonconforming structure and would not result in the loss of the nonconforming status. Mr. Turisk stated that the proposed amendment will allow a nonconformance to continue, but it cannot be enlarged or expanded unless it conforms to the Zoning Ordinance.

Mr. Turisk stated that if two or more contiguous lots, parcels that are under the same ownership and which do not meet the lot width, depth, and/or area requirements of the Zoning Ordinance, then those contiguous lots, parcels, or portions of lots or parcels shall be considered an undivided lot or parcel for the purposes of this Ordinance. Mr. Turisk stated that would loosen the standard to a degree.

Mr. Turisk referred to Section 22.4.E and stated this section allows a nonconforming use to be extended or a nonconforming building to be expanded. Mr. Turisk stated that there are potential zoning implications that must be considered such as an increase in parking requirements.

Mr. Turisk stated that Article 22 presents staff and the public with the most confusion. Mr. Turisk stated that as suggested by legal counsel Article 22 should be revised to provide clarity. Mr. Turisk stated that staff has made interpretations based on what was done previously based on precedence. Mr. Turisk stated that isn't a bad way of moving forward, but it is always better to amend the Zoning Ordinance.

Mr. Turisk suggested adding language stating that if an applicant who is garnered a Class A designation fails to adhere to the standards, they would lose the Class A designation if one or more of the standards are not met. Discussion was held regarding Class A being labeled as Benign or Minor and Class B being labeled as Detrimental or Major. Mr. Kavanaugh stated that it does not state in this amendment that other agency requirements must be met for review by the Planning Commission. Mr. Freese stated that this can be added under the Major classification. Mr. Kavanaugh stated his concern about a gravel pit that was used many years ago being able to reopen in the future. Discussion was held. Mr. Turisk stated he had talked to legal counsel about a time window where a legal nonconforming use ceases to operate. Mr. Turisk stated that he was told it is illegal. Mr. Turisk stated he was looking at other zoning ordinances where this issue is addressed and their legal counsel feels otherwise. Mr. Kavanaugh stated that you eliminate the uses that do not fit with the Master Plan and Zoning Ordinance.

Mr. Freese stated that in order to eliminate some of the nonconforming uses it is necessary to state in the amendment that if the property owner uses the building or property for some other principal use that is permitted or less nonconforming then such use shall be considered as abandonment of the nonconforming use.

Mr. Turisk stated that the Planning Commission will need to determine if the Planning Commission, Zoning Board of Appeals or staff should have oversight over this. Mr. Turisk stated that if it is an administrative decision, it will be less costly for the applicant and the County and will be expedited. Mr. Turisk stated that there may be concerns about allowing staff to make those decisions. Discussion was held. Mr. Turisk stated that an example of an administrative review would be raising a nonconforming structure and building on the existing foundation if there is no increase in the nonconformity and if they meet setbacks. Mr. Borowicz stated that there is a dividing line where certain requests could be reviewed by staff, but some will need to be reviewed by the Planning Commission. Mr. Freese stated that the Zoning Board of Appeals has been reviewing these requests in the past and he believes it should be reviewed by the Zoning Board of Appeals in the future.

STAFF REPORT WITH UPDATE ON MASTER PLAN REVISION

Mr. Turisk stated that short term rental standards have been distributed. Mr. Turisk stated that these were provided at the October 30, 2019 Charlevoix Planner's Forum. Mr. Moore, a member of the Zoning Board of Appeals, has expressed his concerns regarding short term rentals in the vicinity Wildwood Lake. Mr. Borowicz stated that he has a valid point if there is a single family home with a septic for two bedrooms and then there are 16 people staying at the dwelling for a short term stay. Mr. Freese stated that one of the ways to address this is to require a permit for a short term rental with one of the conditions for granting would be to require a septic inspection to determine the capacity and then limit the number of people for the dwelling. Mr. Kavanaugh stated that Mr. Moore has perceived problems that the septic isn't working. Mr. Kavanaugh stated either the septic is working or it isn't working. Mr. Kavanaugh stated that a complaint should be filed with the Health Department. Mr. Kavanaugh believes that there are other concerns. Mr. Kavanaugh stated that the Planning Commission should be cautious in their approach to this issue. Mr. Kavanaugh stated that most of the Planning Commission previously supported short term rentals. Mr. Kavanaugh stated the public and the townships that attended the meeting were in support of short term rentals. Mr. Kavanaugh stated that the Health Department should be notified of the properties where there are water or septic issues. Mr. Kavanaugh does not believe this should affect the properties that are not having problems. Discussion was held.

Mr. Turisk stated that a memo regarding the draft Burt Township Master Plan was distributed to the Planning Commission. Mr. Turisk stated that the draft is open for public comment until February 6, 2020 and a public hearing will be held on February 12, 2020. Mr. Turisk stated that the draft Burt Township Master Plan is available on the Burt Township website.

Mr. Turisk stated the election of officers and the calendar will be addressed at the first meeting in January 2020. Mr. Turisk stated the January 1, 2020 meeting has been rescheduled to January 8, 2020. Mr. Turisk stated that there are no public hearings scheduled for the January 8, 2020 meeting. Discussion was held. **Motion** by Mr. Freese, seconded by Mr. Borowicz, to cancel the January 8, 2020 Planning Commission meeting. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Johnson), 0 Nays, 1 Absent (Delana)

Mr. Turisk stated that he plans to update the Planning Commission on zoning enforcement at the January meeting. Mr. Turisk stated that some SUP's/SPR's are easier than others. Mr. Turisk explained that getting cooperation from state wide agencies can be difficult. Mr. Turisk stated that they have been told that requesting a copy of a permit is subject to FOIA. Mr. Turisk stated that contact has been made with agencies to request information and then there is no response. Mr. Turisk stated that older Health Department permits are difficult to obtain. Mr. Kavanaugh suggested talking to the new Environmental Health Director, Kevin Prevost. Mr. Kavanaugh stated that Mr. Prevost will make sure that copies of the permits are available. Ms. Johnson stated that the applicant should be supplying this information to the Planning and Zoning Department instead of the Planning and Zoning Department contacting the different agencies to request the documents. Mr. Kavanaugh agreed with Ms. Johnson. Mr. Freese stated that the motion to approve the request must state that the applicant has to submit the permit or

letter to the Planning and Zoning Department. Mr. Freese suggested including standard conditions in the staff report. Mr. Turisk stated that he has worked on a letter with an acceptance of conditions form that the applicant will have to sign. Mr. Turisk stated that the letter and form have been reviewed and approved by legal counsel. Discussion was held.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 9:42pm.

Charles Freese
Planning Commission Secretary

DRAFT



CHEBOYGAN COUNTY

PLANNING AND ZONING DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
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MEMORANDUM

Date: January 8, 2020 for the January 15, 2020 Planning Commission meeting

To: Planning Commissioners

From: Michael Turisk, Planning Director *MT*

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

Planning Commissioners,

Attached is a draft of *revised* Ordinance Amendment #154 that includes changes per the Planning Commission's direction on December 18, 2019. Most notably:

- Deletion of all manner of reference to Limited Commercial Enterprise uses. (Recall that Limited Commercial Enterprise was a proposed new land use definition that would have permitted limited small business activities in storage buildings and essentially mirrored the allowances and restrictions currently respective of Home Occupations).
- 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.
- Two proposed new definitions (Agricultural Building and Private Storage Building/Workshop Building) that intend to streamline and provide added distinction.

However, note that we have maintained provisions for limited bathroom facilities in Private Storage Buildings, as consensus appears to have been achieved that doing so represents a reasonable extension of the use.

Furthermore, regarding Home Occupations, additional text is provided that would clarify the triggers for a zoning permit application, and in Section 17.23.3, codifying the occasional sale of items incidental to the Home Occupation would be permitted.

As is customary a "marked-up" copy (added text **highlighted** with ~~strikethrough~~ indicating deleted text) along with a "clean" copy are attached.

See you on Wednesday.

Enclosures:

“Mark-up” of Ordinance Amendment #154

“Clean” copy 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/PRIVATE STORAGE/WORKSHOP BUILDING

A building that is used principally for both 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, with no provisions for overnight living or sleeping areas. 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 that is 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 requiring require a zoning permits are those involving 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 shall be conducted that requires a zoning permit shall be conducted until a zoning permit has been approved 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)

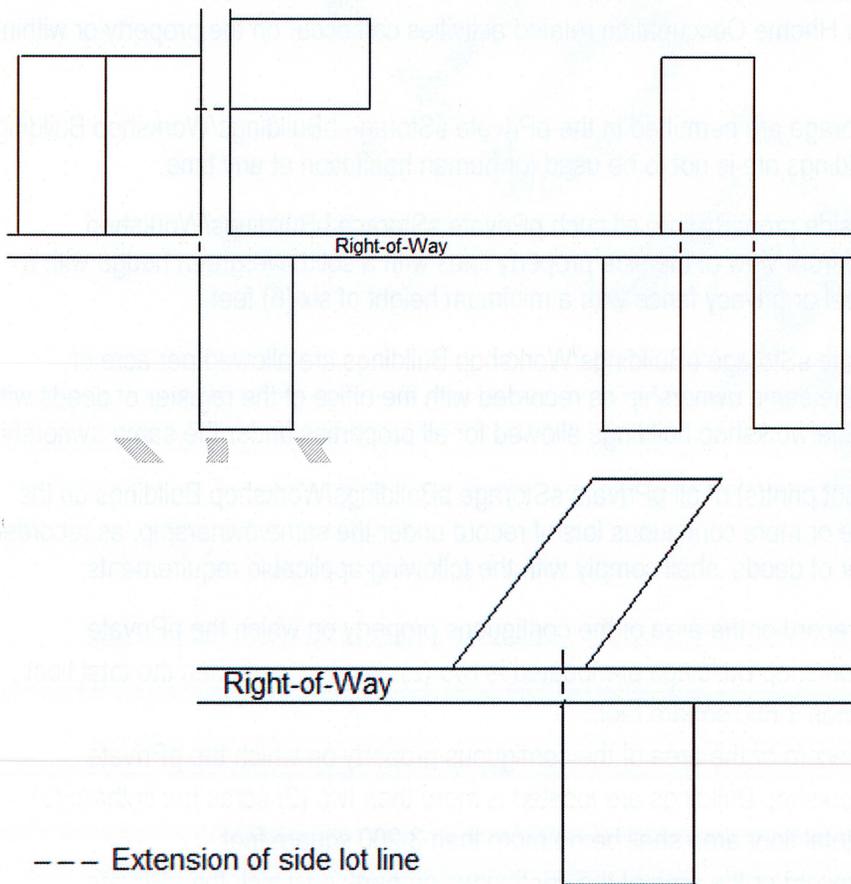
Cheboygan County recognizes the desire and/or need of some citizens to have a parcel that is used primarily for indoor storage of items that are typically used in a home or to store equipment used for maintenance of a single-family home or enjoyment by the residents of a single-family home. A Private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

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. No Home Occupations or Home Occupation related activities can occur on the property or within the building(s).
- c. Only goods and material storage are permitted in the Private Storage Buildings/Workshop Buildings structure. The structure buildings are is-not to be used for human habitation at any time.
- d. 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.
- e. 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.
- f. 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.

- g. 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.
- h. ~~No bathroom facilities are permitted in the private storage structure.~~
- h. i. The structure **(s)** may not be used to house or support animals of any type.
- i. 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.
- j. **A toilet facility and/or washbasin/vanity are permitted in the Private Storage Building/Workshop Building; however, bathtub and shower facilities are prohibited.**
- k. 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 ZONING ORDINANCE
AMENDMENT #154

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE
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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)

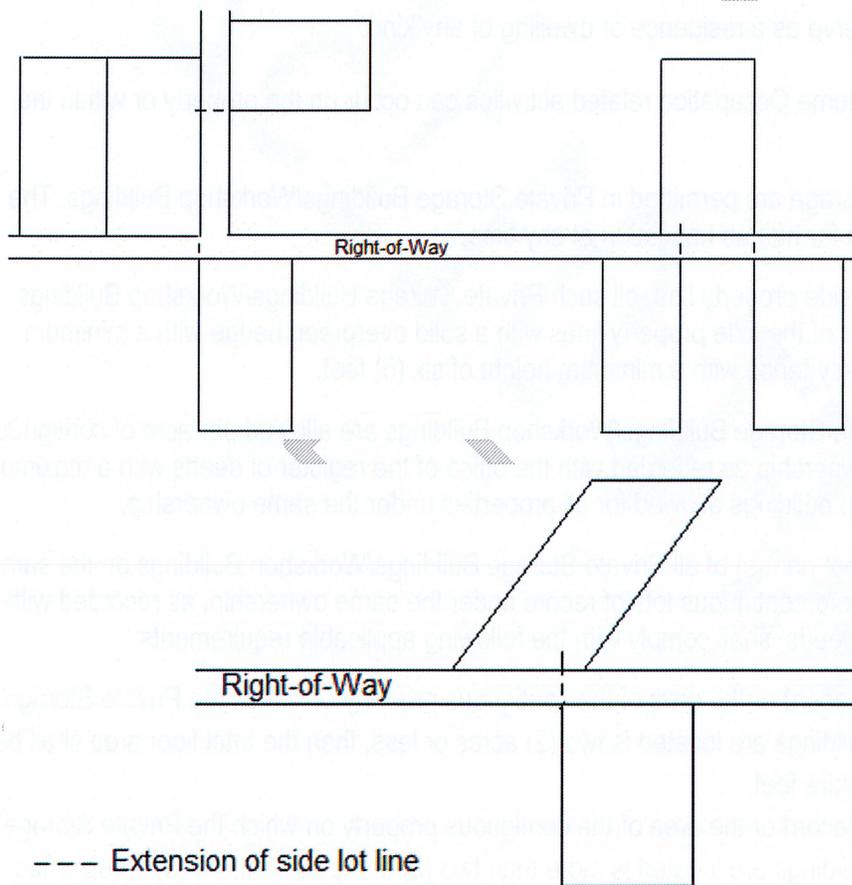
Cheboygan County recognizes the desire and/or need of some citizens to have a parcel that is used primarily for indoor storage of items that are typically used in a home or to store equipment used for maintenance of a single-family home or enjoyment by the residents of a single-family home. A Private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

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. No Home Occupations or Home Occupation related activities can occur on the property or within the building(s).
- c. 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.
- d. 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.
- e. 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.
- f. 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.
- g. 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.

- h. The structure(s) may not be used to house or support animals of any type.
- i. 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.
- j. A toilet facility and/or washbasin/vanity are permitted in the Private Storage Building/Workshop Building; however, bathtub and shower facilities are prohibited.
- k. 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

DRAFT 011520



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/

MEMORANDUM

Date: January 9, 2020 for the January 15, 2020 Planning Commission Meeting

To: Planning Commissioners

From: Michael Turisk, Planning Director *MT*

Re: Draft of proposed Zoning Ordinance Amendment #155 – Non-conforming Buildings or Structures, Properties and Uses

Planning Commissioners,

Attached is a second draft of proposed Zoning Ordinance Amendment #155 that regards Article 22, *Non-conforming Uses, Structures*. You will note that the most significant change since our initial discussion on December 18 regards a change in nomenclature in that “Class A” and “Class B” nonconformities are now termed “Minor” and “Major,” respectively. We will continue our discussion regarding this fundamental change as well other elements on Wednesday.

Feel free to reach out should you have questions.

See you Wednesday.

Enclosure(s):

“Clean” draft of proposed Zoning Ordinance Amendment #155

CHEBOYGAN COUNTY ZONING ORDINANCE
AMENDMENT #155

AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO. 200 RELATIVE
TO NONCONFORMING BUILDINGS OR STRUCTURES, PROPERTIES AND USES

Section 1. Amendment of Article 22

Article 22 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

ARTICLE 22. – NONCONFORMITIES

SECTION 22.1 INTENT AND PURPOSE

Nonconformities are buildings or structures, lots, and land uses that do not conform to one or more of the requirements of this Ordinance or any subsequent amendment, which were lawfully established prior to the effective date of this Ordinance or any subsequent amendment. Such nonconformities are generally incompatible with the current or intended use of land in the district in which located. Accordingly, the purpose of this article is to establish regulations that govern the completion, restoration, reconstruction, extension, and/or substitution of nonconformities, discontinuance and conditions under which nonconformities shall be permitted to continue. Therefore, nonconforming buildings and structures, lots, and uses shall be provided two classifications – Minor Nonconformities and Major Nonconformities, with the ultimate intent to eliminate Major Nonconformities over time, while permitting Minor Nonconformities to be used, repaired, replaced, and enlarged under less stringent regulations.

Section 22.2 NONCONFORMING LAND USE PERMITTED; COMPLETION ALLOWED

- A. If the use of a building or structure or the use of the land was lawful at the time of enactment of this Ordinance or any subsequent amendment, then that use may be continued although the use does not conform to the provisions of this Ordinance or any subsequent amendment, under the terms and conditions of this Article.
- B. To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of a building or structure on which substantial construction has been lawfully begun prior to the effective date of this Ordinance or any subsequent amendment.

SECTION 22.3 CLASSIFICATION OF NONCONFORMITIES

Classifications of Nonconforming Uses and Buildings or Structures. Pursuant to Section 208 of the Michigan Zoning Enabling Act (Public Act 110 of 2006, as amended), Cheboygan County establishes different classifications of nonconforming uses, buildings or structures as defined and provided for in this article.

- A. All nonconforming land uses, buildings or structures shall be designated either a Minor Nonconformity or a Major Nonconformity. A nonconforming use, building or structure shall be automatically deemed a Major Nonconformity, unless specifically designated a Minor Nonconformity under Subsection B. If a Major Nonconformity is damaged or destroyed, the property owner may seek a Minor Nonconformity designation under Subsection B after such damage or destruction. The Major Nonconformity shall then be considered for Minor Nonconformity designation based on how the nonconformity existed prior to the damage or destruction.

- B. A property owner who desires that his or her nonconforming land use, building or structure be designated a Minor Nonconformity shall file an application with the Zoning Administrator requesting the designation. The application shall include:
1. The names and addresses of all people and legal entities with an interest in the property;
 2. The legal description of the property, the facts establishing that the standards for approval of a Minor Nonconformity designation have been met (the burden of proof for establishing a change in classification rests with the property owner); and
 3. The applicable application fee.
- C. After the Zoning Administrator receives a completed application, the application shall be forwarded to the Planning Commission for consideration. The Planning Commission shall then hold at least one (1) public hearing on the application. The notice of the public hearing shall be the same as for a variance application to be considered by the Zoning Board of Appeals. The Planning Commission's decision whether to grant the Minor Nonconformity designation shall be based on written findings of fact made pursuant to the standards contained in Subsection C. The Planning Commission may attach reasonable conditions to the Minor Nonconformity designation to assure compatibility of the nonconforming use, building or structure with surrounding land uses. The property owner shall receive no vested interest or rights in the designation, since that designation may be revoked by the Planning Commission.
- D. The Planning Commission shall grant a Minor Nonconformity designation for a nonconforming land use, building or structure if it finds that all of the following standards are met:
1. The nonconforming land use, building or structure was lawful at the time of its inception;
 2. The nonconforming land use, building or structure does not materially increase or perpetuate the nuisance aspects of the use upon adjacent properties (e.g., noise; glare; traffic congestion; overcrowding);
 3. The nonconforming land use, building or structure shall essentially retain the character and environment of adjacent premises, and not reduce the value or otherwise limit the lawful use of adjacent premises;
 4. The nonconforming land use, building or structure is not located within the waterfront setback, as applicable, and is not located within a wetland regulated by the State of Michigan; and
 5. The nonconforming land use, building or structure is determined to be of economic benefit to Cheboygan County.
- E. Upon filing a request by the Zoning Administrator or by the Planning Commission, a Minor Nonconformity designation shall be revoked by the Planning Commission following the same procedures required for the initial designation upon a finding that as a result of any change of conditions or circumstances, the standards for the Minor Nonconformity designation under Subsection C no longer qualify the nonconforming use or structure for Minor Nonconformity designation.

SECTION 22.4 CLASS A NONCONFORMITY REGULATIONS

The following regulations shall apply to all Minor nonconforming uses, buildings and structures:

Normal maintenance and incidental repairs, including repair or replacement of nonbearing walls, windows, fixtures, wiring, or plumbing, may be performed on any nonconforming building or structure or on any structure containing a nonconforming use.

- A. A nonconforming building or structure or a building or structure that contains a nonconforming use which is unsafe or unlawful due to a lack of repairs or maintenance, as determined by the County Building Official, may be restored to a safe, habitable condition.
- B. If a nonconforming building or structure (including a nonconforming sign) or a building or structure that contains a nonconforming use is damaged or destroyed by any means or is removed by the property owner, then such nonconforming building or structure may be restored, rebuilt, or repaired to no greater than its original configuration and on its original foundation or footprint.
- C. A nonconforming building or structure or a building or structure that contains a nonconforming use may be enlarged or altered in any way, provided such enlargement or alteration does not increase the degree or extent of any nonconformity.
- D. A nonconforming use shall not be extended to any portion of the lot that was not lawfully occupied by such nonconforming use on the effective date of this Ordinance, or any subsequent amendments, creating such nonconformity, unless in complete conformity with the applicable requirements of this Ordinance. However, a nonconforming use may be extended throughout any part of a structure, which was designed for such use, and which existed at the time the use became nonconforming.
- E. A Minor nonconforming use, building or structure may be replaced by another Minor nonconforming use, building or structure if the Planning Commission finds that the new nonconforming use, building or structure qualifies for a Minor designation and that the new nonconforming use, building or structure will not increase the extent or degree of nonconformity.

SECTION 22.5 CLASS B NONCONFORMITY REGULATIONS

The following regulations shall apply to all Major nonconforming uses, buildings and structures:

- A. Normal maintenance and incidental repairs, including repair or replacement of nonbearing walls, windows, fixtures, wiring, or plumbing, may be performed on any nonconforming building or structure or on any building or structure containing a nonconforming use.
- B. A nonconforming building or structure or a building or structure that contains a nonconforming use which is unsafe or unlawful due to a lack of repairs or maintenance, as determined by the County Building Official, may be restored to a safe, habitable condition.
- C. If a nonconforming building or structure (other than a nonconforming sign) or a building or structure that contains a nonconforming use is damaged or destroyed by any means or any portion of the structure is removed by the owner to the extent that the cost of necessary repairs or reconstruction will exceed fifty percent (50%) of the replacement cost of the entire nonconforming building or structure before the damage, destruction, or removal of any portion thereof, as determined by a qualified appraiser, then such nonconforming building or structure or building or structure that contains a nonconforming use shall only be repaired, remodeled, or reconstructed in complete conformity with the provisions of this Ordinance, unless the cost of such repair, remodeling, or

reconstruction exceeds 150% of the replacement cost of the entire nonconforming building or structure before any damage, destruction, or removal as determined by a qualified appraiser. If the cost of any repair, remodeling, or reconstruction exceeds 150% of the replacement cost of the entire nonconforming building or structure as specified above, then the Zoning Administrator shall require the nonconforming building or structure or building or structure that contains a nonconforming use to be repaired, remodeled, or reconstructed in such a manner or in such location as to maximize conformity with the applicable provisions of this Ordinance without exceeding the 150% limitation as specified above.

- D. If a nonconforming sign is damaged or destroyed by any means or is removed by the owner to the extent that the cost of necessary repairs will exceed twenty percent (20%) of the replacement cost of the sign, then such nonconforming sign shall only be repaired or reconstructed in complete conformity with the applicable provisions of this Ordinance.
- E. Except for repairs or maintenance authorized under Subsections A and B above, a nonconforming building or structure or a building or structure that contains a nonconforming use shall not be enlarged or altered, unless in complete conformity with the applicable requirements of this Ordinance.
- F. A nonconforming use shall not be extended to any portion of the lot or extended throughout any part of a building or structure in which it is located that was not lawfully occupied by such nonconforming use on the effective date of this Ordinance, or any subsequent amendments, creating such nonconformity, unless in complete conformity with the applicable requirements of this Ordinance.
- G. A Major nonconforming use, building or structure may not be replaced by another Major nonconforming use, building or structure. However, a nonconforming use, building or structure may be replaced with a Minor nonconforming use, building or structure if the Planning Commission finds that the new nonconforming use or structure qualifies for a Minor Nonconformity designation and that the new nonconforming use, building or structure will not increase the extent or degree of nonconformity.

SECTION 22.6 CHANGE OF NONCONFORMITY

If a nonconforming use, building or structure is changed to a more conforming use, building or structure or is replaced by a conforming use, building or structure, the nonconforming use, building or structure shall not revert to its original nonconforming status.

SECTION 22.7 NONCONFORMING LOT OF RECORD

A nonconforming lot of record is a lot that the boundaries of which are recorded in a plat, deed or land contract executed prior to the effective date of this Ordinance and which does not meet the minimum dimensional requirements of the zoning district in which it is located.

Minimum front, side and rear setback modifications of up to 10 percent (10%) may be approved by the Zoning Administrator. Modifications greater than ten percent (10%) may be obtained only by approval of the Planning Commission pursuant to the standards contained in Section 22.3.C.

The following regulations shall apply to all nonconforming lots of record:

- A. Except as provided in Subsection B, below, any lot that does not meet the dimensional requirements of the district in which it is located may be used for any purpose authorized within that district. Any required variances may be requested pursuant to the applicable procedures and standards of this Ordinance.
- B. If two (2) or more contiguous lots, parcels, or portions of lots or parcels are under the same ownership and do not individually meet the lot width, depth, and/or area requirements of this Ordinance, then those contiguous lots, parcels, or portions of lots or parcels shall be considered an undivided lot or parcel for the purposes of this Ordinance, and no portion of such undivided lot or parcel shall be used or divided in a manner that diminishes compliance with the lot width, depth, and/or area requirements established by this Ordinance.

Section 2. 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 3. 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 ZONING ENFORCEMENT & INSPECTION SUMMARY

SEPTEMBER 1, 2019 – DECEMBER 31, 2019

Includes Total Complaints:

- Zoning Enforcement - Description of Complaints with status
- Enforcement Map By Township - In Progress
- Enforcement Map By Township – Closed No Violation, Resolved

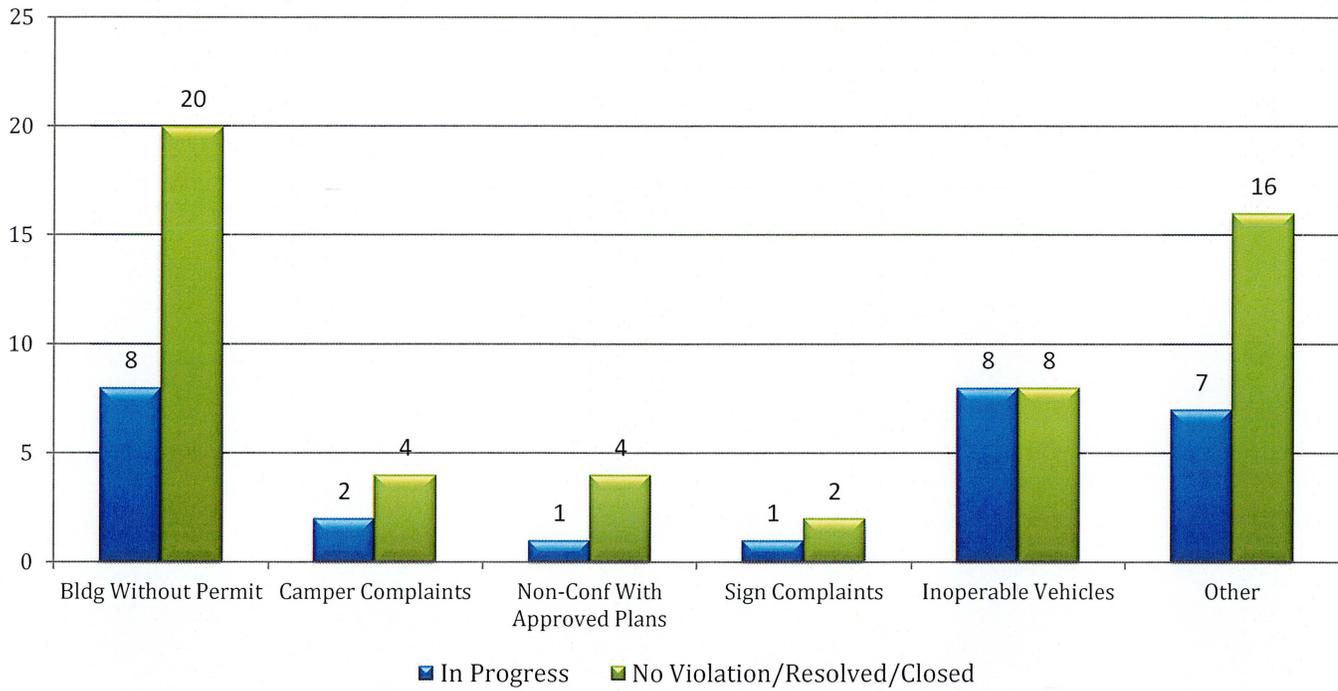
Includes Total Inspections:

- Soil Inspections
- Setback Inspections
- Enforcement Inspections

Includes SPR/SUP Update:

- Planning Commission Approvals 2013-2019

ZONING ENFORCEMENT – DESCRIPTION OF COMPLAINTS SEPTEMBER 1, 2019 – DECEMBER 31, 2019



ZONING ENFORCEMENT - DESCRIPTION OF COMPLAINTS SEPTEMBER 1, 2019 – DECEMBER 31, 2019

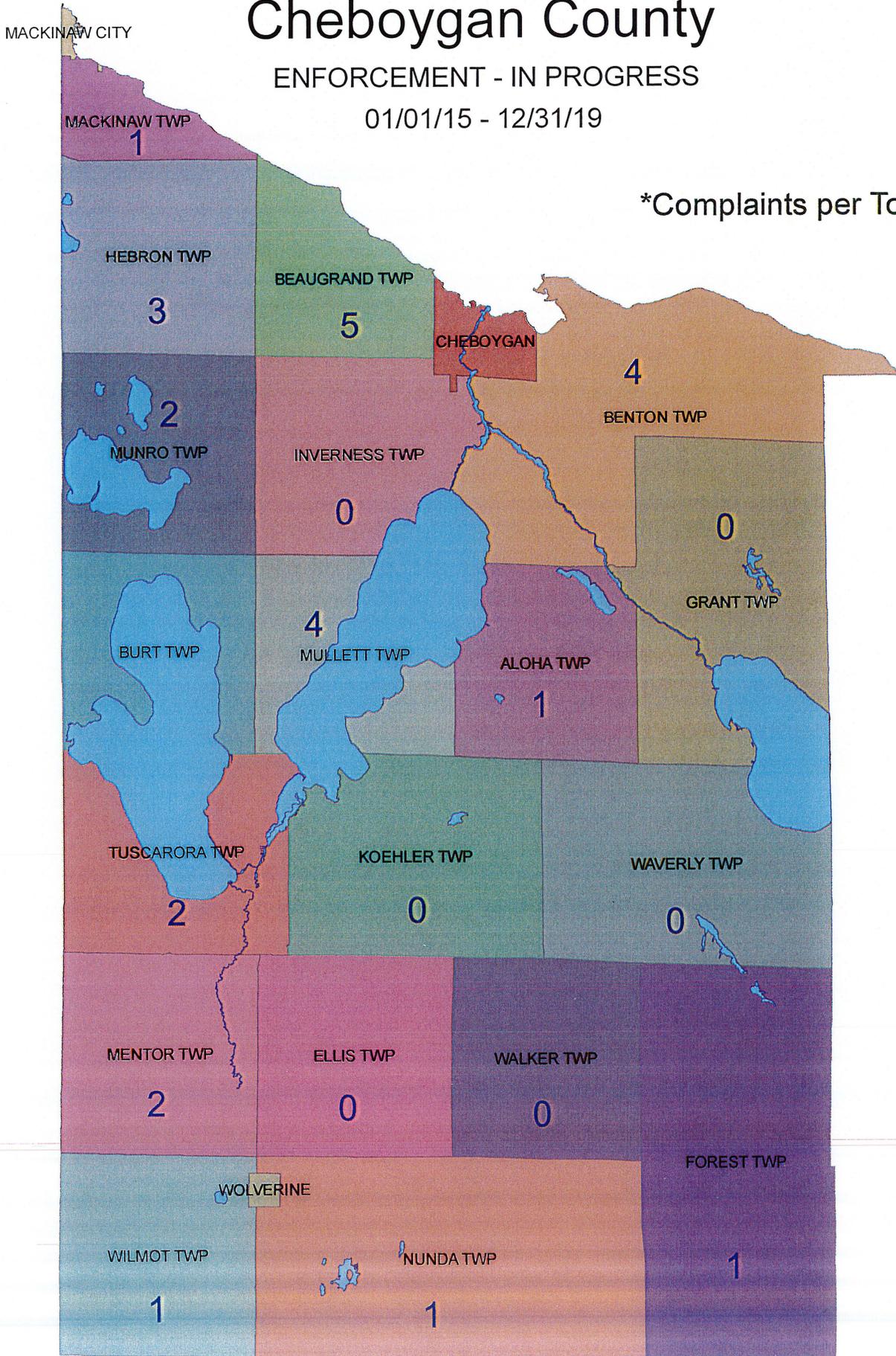
Section	Description	In Progress	No Violation/ Resolved/Closed	Total
21.3.1	Bldg Without Permit	8	20	28
17.7	Camper Complaints	2	4	6
21.5	Non-Conf With Approved Plans	1	4	5
17.19	Sign Complaints	1	2	3
3.5.2	Inoperable Vehicles	8	8	16
	Other	7	16	23
	Total	27	54	81

Cheboygan County

ENFORCEMENT - IN PROGRESS

01/01/15 - 12/31/19

*Complaints per Township



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

ZONING ENFORCEMENT REPORT - IN PROGRESS

01/01/15 - 12/31/19

DATE FILED	DATE CLOSED	CATEGORY	ENF#	TOWNSHIP	COMPLAINT	STATUS
11/18/2019		Zoning	E167-19	MACKINAW	Semitrucks hauling rock and equipment processing rock. No SUP for a contractors yard. Changed to gravel/rock/mineral extraction on 12/5/19.	In Progress
10/02/2019		Zoning	E153-19	HEBRON	Built tiny home with out permits	In Progress
08/29/2019		Zoning	E129-19	HEBRON	Building without permit	In Progress
09/25/2019		Zoning	E143-19	HEBRON	Mobile home brought on property no permit, abandoned vehicles	In Progress
10/01/2019		Zoning	E149-19	BEAUGRAND	Several junk vehicles	In Progress
08/08/2017		Zoning	E072-17	BEAUGRAND	18.10. Operating a waste hauling business without compliance with approved special use permit.	In Progress
07/12/2019		Zoning	E072-19	BEAUGRAND	Multiple inoperable/unlicensed vehicles	In Progress
07/22/2019		Zoning	E084-19	BEAUGRAND	Operating contractor's yard without SUP	In Progress
08/05/2019		Zoning	E092-19	BEAUGRAND	Horse present on property	In Progress
12/30/2019		Zoning	E174-19	MUNRO	Shed with out Zoning permits	In Progress
12/19/2019		Zoning	E171-19	MUNRO	Shed as residence with no permits.	In Progress
08/29/2019		Zoning	E130-19	BENTON	Irrigation business no permits, vehicles in and out through the day	In Progress
04/15/2019		Zoning	E035-19	BENTON	Building stairs, wall, and covered deck without zoning permit.	In Progress
01/16/2019		Zoning	E004-19	BENTON	Inoperable/unlicensed vehicles	In Progress
07/26/2019		Zoning	E087-19	BENTON	Junk vehicles, unihabitable trailer	In Progress
12/02/2019		Zoning	E168-19	MULLETT	5 dogs on property without private kennel or zoning permit.	In Progress
04/27/2017		Zoning	E023-17	MULLETT	Storage building without permit 21.3.1	In Progress
03/12/2019		Zoning	E027-19	MULLETT	Junk vehicles and trash	In Progress
12/26/2019		Zoning	E172-19	MULLETT	Inoperable/unlicensed vehicle	In Progress
03/03/2017		Zoning	E011-17	ALOHA	Camper stored not in compliance with the requirements of section 17.7.A	In Progress
08/05/2019		Zoning	E091-19	TUSCARORA	New pole barn with no zoning or building permits	In Progress

DATE FILED	DATE CLOSED	CATEGORY	ENF#	TOWNSHIP	COMPLAINT	STATUS
07/17/2019		Zoning	E080-19	TUSCARORA	New Tanner Electric sign, Use of private storage building for commercial storage	In Progress
05/17/2016		Zoning	E029-16	MENTOR	3.6.1. possible dumping of junk 3.5.2. junk cars beyond 30 days	In Progress
10/10/2016		Zoning	E083-16	MENTOR	21.3.1. Garage built without zoning permit	In Progress
06/05/2019		Zoning	E057-19	FOREST	No SUP for campground. Campers not stored properly.	In Progress
02/26/2019		Zoning	E024-19	WILMOT	Junk vehicles	In Progress
09/20/2019		Zoning	E140-19	NUNDA	Private storage building with bathroom and laundry	In Progress

TOTAL COMPLAINTS: 27

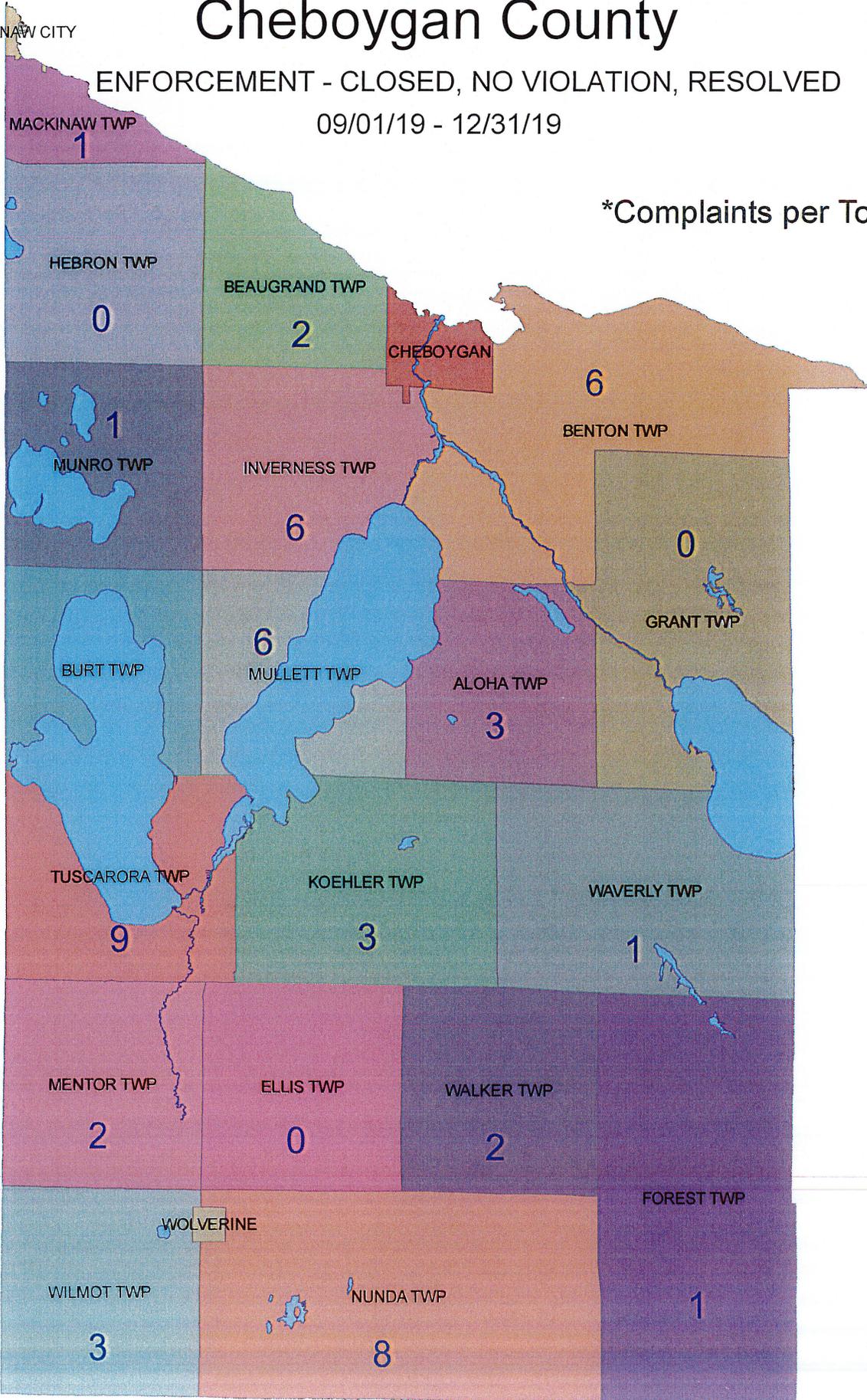
Cheboygan County

MACKINAW CITY

ENFORCEMENT - CLOSED, NO VIOLATION, RESOLVED

09/01/19 - 12/31/19

*Complaints per Township



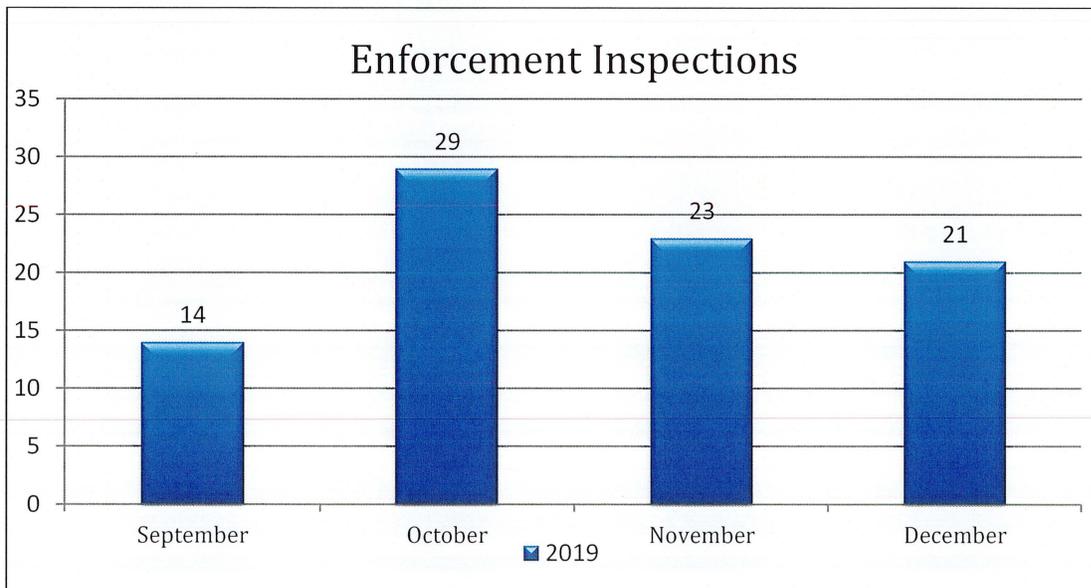
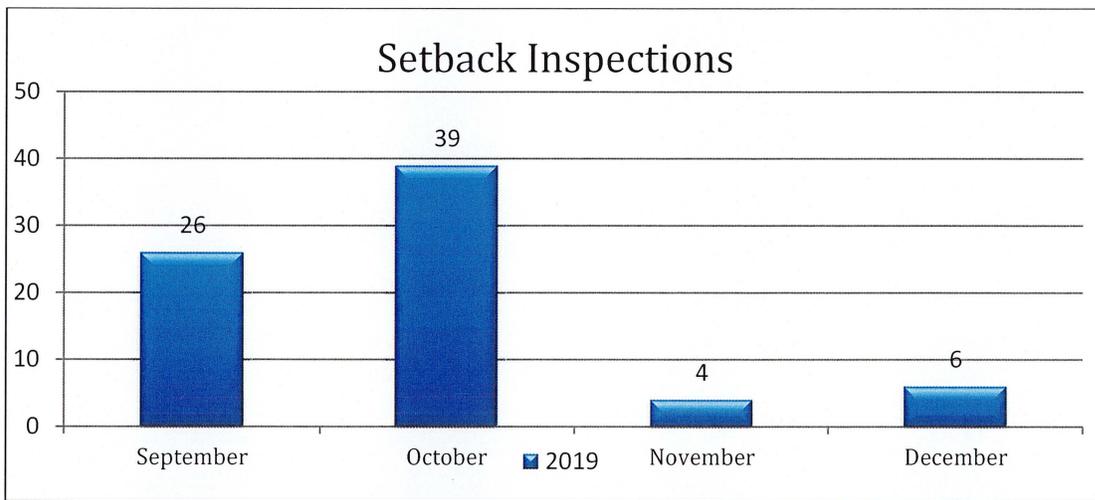
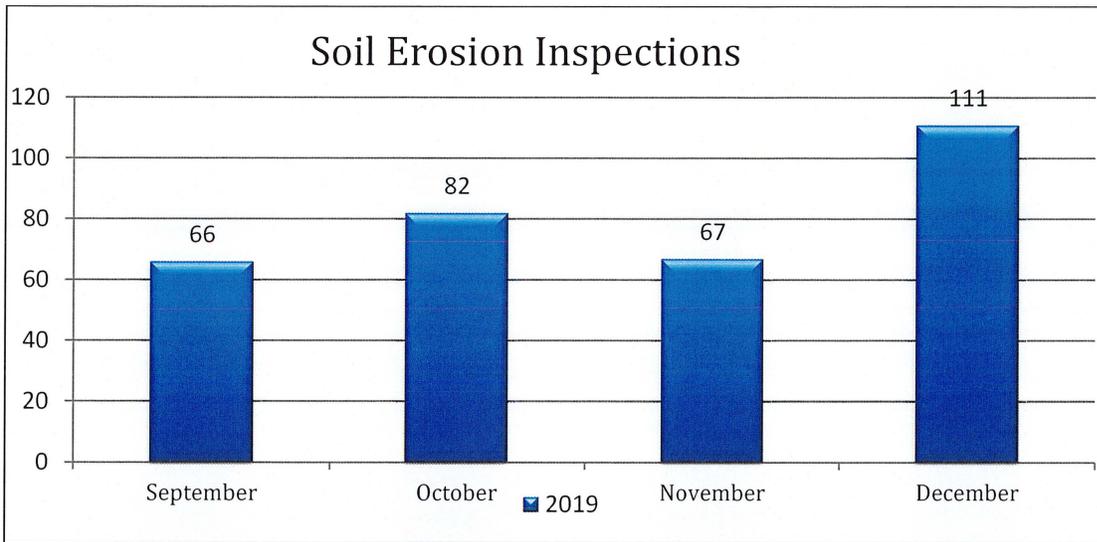
CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT
ZONING ENFORCEMENT REPORT - CLOSED, NO VIOLATION, RESOLVED
SEPTEMBER 2019 - DECEMBER 2019

DATE FILED	DATE CLOSED	CATEGORY	ENF#	TOWNSHIP	COMPLAINT	STATUS
10/18/2019	10/24/2019	Zoning	E161-19	MACKINAW	Hauling in rocks by semi truck dumping then reloading rocks for Harbor Springs. Contractors yard no sup	No Violation
10/01/2019	12/13/2019	Zoning	E148-19	BEAUGRAND	Multiple junk vehicles/rv's	Resolved
06/18/2019	12/03/2019	Zoning	E061-19	BEAUGRAND	Single family home to duplex w/o SUP	Closed
07/23/2019	11/25/2019	Zoning	E085-19	MUNRO	Campground without Permits	Resolved
07/19/2019	11/12/2019	Zoning	E082-19	INVERNESS	Living in garage polebarn	No Violation
12/01/2017	12/06/2019	Zoning	E108-17	INVERNESS	Pole barn being constructed without zoning permit. 21.3.1	Resolved
10/01/2019	11/25/2019	Zoning	E151-19	INVERNESS	Construction without permit	Resolved
06/12/2019	09/13/2019	Zoning	E059-19	INVERNESS	Landscaping business/nursery operation without permits or site plan review.	Resolved
08/13/2019	10/22/2019	Zoning	E102-19	INVERNESS	Violation of SUP Outdoor storage of trailer storage	Resolved
09/30/2019	10/22/2019	Zoning	E145-19	INVERNESS	Converting a private storage building into a residence	No Violation
11/28/2017	11/13/2019	Zoning	E112-17	BENTON	New building without permits	Resolved
10/31/2018	12/12/2019	Zoning	E041-18	BENTON	4 Unlicensed Inoperable Cars hidden underneath tarps and trees	Resolved
02/26/2018	12/16/2019	Zoning	E151-17	BENTON	Another complaint of more dogs on site than allowed by ordinance private or commercial kennel without permits 21.3.1	Resolved
08/30/2017	11/08/2019	Zoning	E083-17	BENTON	21.3.1. lean-to added to the home, two tarp-over-frame storage structures added to the property without zoning permits. Also, two RV's stored on one property.	Resolved
10/07/2019	10/18/2019	Zoning	E155-19	BENTON	Junk cars, trash, two mobile homes	No Violation
12/30/2019	12/30/2019	Zoning	E173-19	BENTON	Construction of addition w/o zoning permit	No Violation
09/20/2019	10/18/2019	Zoning	E139-19	MULLETT	Animals living in house	No Violation
08/20/2019	12/26/2019	Zoning	E105-19	MULLETT	Existing wood cell tower has not been removed.	Resolved
10/01/2019	12/17/2019	Zoning	E152-19	MULLETT	Cabin built without permit	Resolved

DATE FILED	DATE CLOSED	CATEGORY	ENF#	TOWNSHIP	COMPLAINT	STATUS
07/24/2019	10/22/2019	Zoning	E086-19	MULLETT	Steel storage building built w/o permit. Construction business on property w/ equipment all over place	Resolved
10/04/2019	10/04/2019	Zoning	E154-19	MULLETT	Construction without permits	No Violation
01/22/2019	10/03/2019	Zoning	E011-19	MULLETT	Inoperable/unlicensed vehicle been there for years	Resolved
01/24/2019	11/27/2019	Zoning	E010-19	ALOHA	Mutiple Inoperable/unlicensed vehicles and boats	Closed
07/22/2019	09/16/2019	Zoning	E088-19	ALOHA	Operating outsied of set hours per SUP, over 5 acre limit as limited by SUP	No Violation
08/16/2019	11/25/2019	Zoning	E104-19	ALOHA	Building without permits	No Violation
01/25/2018	11/07/2019	Zoning	E142-17	TUSCARORA	Pre-fab storage sheds placed without permits. Shed dispaly and sales permitted on site, but these are outside of the approved location.	Closed
06/13/2018	09/12/2019	Zoning	E056-18	TUSCARORA	Violation of PSUP17-0561 No screening or privacy fence covering dumpster or fuel tanks on cemetary or Oak Ridge Rd. sides All native tree cover was removed	Resolved
09/13/2019	09/13/2019	Zoning	E136-19	TUSCARORA	Farm Market operating without permits	Resolved
05/31/2019	12/13/2019	Zoning	E052-19	TUSCARORA	Running a business without a Zoning Permit	Resolved
07/17/2019	11/15/2019	Zoning	E079-19	TUSCARORA	New greenside Grille sign	Resolved
07/17/2019	11/21/2019	Zoning	E078-19	TUSCARORA	Sign may be on road right of way no permits	Resolved
07/19/2019	11/22/2019	Zoning	E081-19	TUSCARORA	Built storage building without permits	Resolved
02/22/2017	10/15/2019	Zoning	E009-17	TUSCARORA	Complaint of junk and junk/inoperable cars 3.5.2 3.6.1	Resolved
08/12/2019	10/22/2019	Zoning	E097-19	TUSCARORA	Multiple camping trailers	Resolved
05/14/2019	12/03/2019	Zoning	E043-19	KOEHLER	6 Dogs, Junk vehicle, Pig, Camper next to road	Resolved
08/29/2019	10/03/2019	Zoning	E132-19	KOEHLER	Fence on setbacks	No Violation
10/06/2015	12/03/2019	Zoning	E015-16	KOEHLER	Unknown - complaint of junk and debris on property, is there a violation?	Resolved
03/26/2019	11/04/2019	Zoning	E030-19	WAVERLY	No SUP for store	Resolved
08/29/2019	10/11/2019	Zoning	E131-19	MENTOR	Commercial events weddings no permits	No Violation
02/06/2019	10/22/2019	Zoning	E019-19	MENTOR	Building a deck w/o zoning permit	Resolved

DATE FILED	DATE CLOSED	CATEGORY	ENF#	TOWNSHIP	COMPLAINT	STATUS
05/12/2017	12/13/2019	Zoning	E032-17	WALKER	operating a contractors yard/change of use without permit 21.3.1 Special Use Permit approved by the Planning Commission on Sept. 6, 2017	Resolved
05/11/2017	12/19/2019	Zoning	E030-17	WALKER	21.3.1. Operating contractors yard and new building without zoning permits.	Resolved
12/13/2016	12/19/2019	Zoning	E122-16	FOREST	Addition to existing pole barn without zoning permit	Resolved
05/17/2016	10/11/2019	Zoning	E030-16	WILMOT	3.6.1. accumulation of junk 3.5.2. junk vehicles	Resolved
09/26/2019	09/26/2019	Zoning	E144-19	WILMOT	Addition built without permits	No Violation
10/01/2019	12/02/2019	Zoning	E150-19	WILMOT	Shed being used as a dwelling	No Violation
05/22/2019	10/23/2019	Zoning	E046-19	NUNDA	Building structure with out Zoning, Building, Soil permits	Resolved
10/16/2019	10/16/2019	Zoning	E160-19	NUNDA	Addition on south side of house without permits, People living in campground.	No Violation
08/07/2019	11/18/2019	Zoning	E094-19	NUNDA	Built pole barn with out permits	Resolved
08/28/2019	12/03/2019	Zoning	E128-19	NUNDA	Illegal camping & blight	No Violation
06/12/2019	12/10/2019	Zoning	E060-19	NUNDA	Living in camper year round	No Violation
08/07/2019	11/13/2019	Zoning	E093-19	NUNDA	Building structure with out permits	Resolved
11/05/2019	11/07/2019	Zoning	E165-19	NUNDA	Shed being used as a cabin.	No Violation
10/31/2018	09/18/2019	Zoning	E024-18	NUNDA	Travel trailer on concrete pad without permit Building a roof over trailer without permit Fence installed without permit	Resolved

TOTAL COMPLAINTS: 54



PLANNING COMMISSION APPROVALS 2013 - 2019

<p>PERMIT #: PSPR14-0003 AMEND OWNER: FERNELIUS LAND II, LLC APPLICANT: FERNELIUS LAND II, LLC ADDRESS: 11283 N STRAITS HWY PARCEL#: 092-006-300-010-00 APPROVED: 07/02/2014 STATUS: FINALED FINALED: 12/11/2019</p>	<p>REQUEST: Requests a site plan review amendment for an automobile dealership. The property is located at 11283 North Straits Highway, Inverness Township, Section 6, parcel #092-006-300-010-00 and parcel #092-006-314-138-00 and is zoned Commercial Development (D-CM).</p>	<p>PC APPROVAL: Motion by Mr. Kavanaugh, seconded by Mr. Borowicz, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10. Motion carried unanimously.</p> <p>The application is an amendment to a site plan for additional outdoor auto sales display. The current site plan was approved by the Planning Commission on April 20, 2011. The additional display are utilizes property acquired after the original site plan approval and is represented by the hatched area depicted on the proposed amended site plan. The subject property is zoned Commercial Development District D-CM. Auto sales and repair is a permitted use per section 6.2.2.</p> <p>This resolves enforcement #E007-14.</p> <p>12/11/19-Mike Peltier- Talked with David Fernelius. He showed me the 77'x199' parcel. It is being used for auto sales. No conditions in place.</p>
<p>PERMIT #: PSPR14-0005 OWNER: FERRELL GAS APPLICANT: KOLB, PATRICK ADDRESS: 401 N STRAITS HWY PARCEL#: 130-031-300-006-00 APPROVED: 10/01/2014 STATUS: FINALED FINALED: 12/23/2019</p>	<p>REQUEST: Requests site plan review approval for construction of a 16ft. x 20ft. office building. The property is located at 401 North Straits Highway, Mullett Township, Section 31, parcel #130-031-300-006-00 and is zoned Agriculture and Forestry Management (M-AF).</p>	<p>PC APPROVAL: Motion by Mr. Kavanaugh, seconded by Mr. Ostwald, to approve the special use permit based on the General Findings and the Specific Findings of Fact Under Section 20.10 subject to Health Department approval of septic and well. Motion carried unanimously.</p> <p>12/23/19-Mike Peltier-Septic permit in file. Patrick Kolb stated he thinks that the well was drilled in 2009-2010. Health Dept files checked and well permit could not be found due to record keeping issues. Mechanical, Plumbing, and Electrical permits all finalized. SPR is finalized.</p>
<p>PERMIT #: PSPR14-0006 OWNER: CONNERS, TRAVIS & RENEE, TTEES APPLICANT: CONNERS, TRAVIS & RENEE, TTEES ADDRESS: 562 S STRAITS HWY PARCEL#: 161-001-400-003-00 APPROVED: 11/05/2014 STATUS: FINALED FINALED: 12/27/2019</p>	<p>REQUEST: Requests a site plan review amendment for outdoor storage and display, employee parking and a 50ft. x 120ft. storage building. The property is located at 562 North Straits Hwy., Tuscarora Twp., section 1, parcel #161-001-400-003-00 and #161-001-400-002-00 and is zoned Commercial Development (D-CM).</p>	<p>PC APPROVAL: Motion by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 subject to Health Department and Department of Building Safety requirements be met before the property is used. Motion carried unanimously.</p> <p>12/27/19-Mike Peltier-No health department requirements as there was no expansion of water, sewer or number of employees. Electrical and Mechanical permits finalized in 2015 resulting in meeting Department of Building Safety being met.</p>

PLANNING COMMISSION APPROVALS 2013 - 2019

PERMIT #:	PSPR15-0006	REQUEST:	PC APPROVAL:
OWNER:	TUSCARORA TOWNSHIP	Requests a Site Plan Review approval for construction of a pavilion in Marina Park under section 6.2.1, 5.2.1 and 4.2.4., municipal uses. The property is located at Onaway Road and Club Road, Tuscarora Township, section 24, parcel #161-I31-012-002-00 and #161-I31-012-003-02 and is zoned Commercial Development (D-CM).	Motion by Mr. Borowicz, seconded by Mr. Ostwald, to approve the special use permit based on the General Findings and the Specific Findings of Fact Under Section 20.10 subject to approval from Department of Building Safety. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon), 0 Nays, 2 Absent (Churchill, Jazdzyk)
APPLICANT:	TUSCARORA TOWNSHIP		
ADDRESS:	3471 CLUB RD		
PARCEL#:	161-I31-012-002-00		
APPROVED:	04/15/2015		
STATUS:	FINALED		
FINALED:	01/07/2020		1/7/20-Mike Peltier-Commercial Building & electrical permits finalized in 2015 resulting in Building safety requirements being met. Finalized
PERMIT #:	PSPR15-0007	REQUEST:	PC APPROVAL:
OWNER:	OTSEGO MEMORIAL HOSPITAL ASSOC	Requests a Site Plan Review Amendment regarding revised parking for a medical office (Section 6.2.1 and Section 5.2.6.). The property is located at 3860 S. Straits Hwy., Tuscarora Township, Section 24, parcel #161-024-400-225-00 and is zoned Commercial Development (D-CM).	Motion by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the site plan review amendment based on the General Findings and the Specific Findings of Fact Under Section 20.10. Motion carried unanimously.
APPLICANT:	BURDCO INC.		
ADDRESS:	3860 S STRAITS HWY		
PARCEL#:	161-024-400-225-00		
APPROVED:	07/01/2015		
STATUS:	FINALED		
FINALED:	01/07/2020		1/7/20-Mike Peltier-No conditions in place. Finalized
PERMIT #:	PSPR16-0015	REQUEST:	PC APPROVAL:
OWNER:	CONNERS, TRAVIS & RENEE, TTEES	Requests a Site Plan Review Amendment for a change of use from storage to Boat/ATV sales (Section 6.2.4). The property is located at 562 S. Straits Hwy., Tuscarora Twp., section 1, parcel #161-001-400-003-00 and is zoned Commercial Development (D-CM).	The Planning Commission reviewed 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. Freese, seconded by Mr. Churchill, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 subject to the following conditions:
APPLICANT:	CONNERS, TRAVIS & RENEE, TTEES		
ADDRESS:	562 S STRAITS HWY		
PARCEL#:	161-001-400-003-00		
APPROVED:	11/02/2016		
STATUS:	FINALED		
FINALED:	12/30/2019		1. Department of Building Safety requirements be met 2. Revised site plan be submitted showing the additional storage areas Motion carried unanimously. 12/30/19-Mike Peltier-Revised site plan placed in attacheents.

PLANNING COMMISSION APPROVALS 2013 - 2019

PERMIT #:	PSUP14-0471 AMEND	REQUEST:	PC APPROVAL:
OWNER:	DFC OF CHEBOYGAN, LLC	Requests an amendment to a Special Use	Motion by Mr. Kavanaugh, seconded by Mr. Freese, to approve the
APPLICANT:	DFC OF CHEBOYGAN, LLC	Permit for an addition to an assisted/	amendment to the special use permit based on the General Findings,
ADDRESS:	11965 TOWNLINE RD	independent living facility as reviewed	Finding of Fact Under Section 18.7 and the Specific Findings of Fact
PARCEL#:	091-001-400-004-00	under Section 9.3.14. (nursing and	Under 20.10 with the stipulation that Department of Building Safety
APPROVED:	08/20/2014	convalesant homes). The property is located	requirements and Soil Erosion requirements be met. Motion carried.
STATUS:	FINALED	at 11964 Townline Rd., Inverness	8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald,
FINALED:	01/03/2020	Township, section 1, parcel #091-001-400-	Lyon, Jazdzyk), 0 Nays, 1 Absent (Churchill)
		004-00 and is zoned Agriculture and	
		Forestry Management (M-AF).	
			1/3/20-Mike Peltier-No soil erosion requirements to be met as over
			500 feet from any body of water. Building Safety mechanical,
			plumbing, electrical permits all finaled.
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PERMIT #:	PSUP14-0524	REQUEST:	PC APPROVAL:
OWNER:	MACKINAW LAUNDRY SERVICES, INC	Requests an Amendment to a Special Use	Motion by Mr. Freese, seconded by Mr. Bartlett, to approve the
APPLICANT:	BROWN, CHRISTOPHER	Permit for an addition to a laundry	amendment to the special use permit based on the General Findings,
ADDRESS:	11461 W US 23 HWY	establishment. (Section 6.3.2.) The property	Finding of Fact Under Section 18.7 and the Specific Findings of Fact
PARCEL#:	011-019-200-021-01	is located at 11461 S. US-23 Hwy.,	Under Section 20.10 with the stipulation of DEQ discharge approval.
APPROVED:	01/08/2014	Mackinaw Township, section 19, parcel	Motion carried unanimously.
STATUS:	FINALED	#011-019-200-021-01 and is zoned	
FINALED:	01/03/2020	Commercial Development (D-CM).Ms.	1/3/20-Mike Peltier-EGLE Discharge Permit sent by EGLE. SUP is
		Croft asked for public comments. There	finaled.
		were no public comments. Public comment	
		closed.	
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PERMIT #:	PSUP14-0527	REQUEST:	PC APPROVAL:
OWNER:	MULLETT, TOWNSHIP OF	Requests a Special Use Permit for	Motion by Mr. Freese, seconded by Mr. Kavanaugh, to approve the
APPLICANT:	MULLETT, TOWNSHIP OF	construction of a restroom facility at Boy	special use permit based on the General Findings, Finding of Fact
ADDRESS:	2863 BOY SCOUT RD	Scout Park (Section 10.3.13.). The property	Under Section 18.7 and the Specific Findings of Fact Under Section
PARCEL#:	130-024-100-001-02	is located at 2863 Boy Scout Road, Mullett	20.10. Motion carried. 7 Ayes (Bartlett, Freese, Kavanaugh,
APPROVED:	04/02/2014	Township, parcel #130-024-100-001-02	Borowicz, Croft, Ostwald, Lyon), Nays, 2 Absent (Churchill,
STATUS:	FINALED	and is zoned Lake and Stream Protection	Jazdzyk)
FINALED:	01/03/2020	District (P-LS).	
			1/3/20-Mike Peltier-No conditions imposed. SUP finaled

PLANNING COMMISSION APPROVALS 2013 - 2019

PERMIT #: PSUP17-0558
OWNER: DUBOIS, FRANCIS & BRENDA H/W
APPLICANT: DUBOIS, FRANCIS & BRENDA H/W
ADDRESS: 741 SOULES RD
PARCEL#: 220-006-400-001-08
APPROVED: 07/05/2017
STATUS: FINALED
FINALED: 12/19/2019

REQUEST:
Requests a Special Use Permit for a Contractor's yard. (Section 9.3.20.) The property is located at 741 Soules Road and Montgomery Road., Walker Township, section 6, parcel #220-006-400-001-08 and parcel #220-006-400-001-07 and is zoned Agriculture and Forestry Management (M-AF).

PC APPROVAL:
Motion by Mr. Kavanaugh, seconded by Mr. Ostwald, to approve the special use permit based on the General Findings, Finding of Fact Under Section 9.3.20, Finding of Fact Under Section 18.7 and Specific Findings of Fact Under Section 20.10 subject to the storage being located behind the existing tree line. Motion carried. 8 Ayes (Bartlett, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk), 0 Nays, 1 Absent (Freese)

12/19/19-Mike Peltier-In full compliance with SUP as result of Enforcement E030-17. Screening fence is installed and all trucks and equipment is placed on approved parcels.

PLANNING COMMISSION APPROVALS 2013 - 2019

<p>PERMIT #: PSPR13-0001 OWNER: MORGAN, WILLARD & KAREN H/W APPLICANT: MORGAN, WILLARD & KAREN H/W ADDRESS: 4502 ONAWAY RD PARCEL#: 172-I09-000-011-00 APPROVED: 05/15/2013 STATUS: CLOSED FINALED:</p>	<p>REQUEST: Requests a Site Plan Review Amendment for a bakery/deli (Section 6.2.9). The property is located at 4502 Onaway Road, Koehler Township, parcel #172-I09-000-011-00 and is zoned Commercial Development (D-CM).</p>	<p>PC APPROVAL: 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 subject to Health Department approval and Department of Building Safety approval. Motion carried unanimously.</p> <p style="text-align: right;">1/6/20-Mike Peltier-Closed due to statute of limitations</p>
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<p>PERMIT #: PSPR13-0002 OWNER: PHILLIPS, KEITH APPLICANT: PHILLIPS, KEITH ADDRESS: 1250 E **2014 RETIRE** GRAND BLVD PARCEL#: 130-030-409-083-00 APPROVED: 05/15/2013 STATUS: CLOSED FINALED:</p>	<p>REQUEST: Requests a Site Plan Review for a site condominium for private storage building use only (section 20.3.d). The property is located on Grand Boulevard, Mullett Township, parcel # 130-030-409-083-00 and #130-030-409-082-00 and is zoned Residential Development (D-RS).</p>	<p>PC APPROVAL: Motion by Mr. Kavanaugh, seconded by Mr. Borowicz, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the following stipulations:</p> <ol style="list-style-type: none"> 1. Master deed is to include Section 17.23.1 2. No outside storage 3. No additional splits 4. Legal review of master deed 5. Information on township split will be submitted <p>Motion carried unanimously.</p> <p style="text-align: right;">1/6/20-Mike Peltier-Closed due to statute of limitations</p>
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<p>PERMIT #: PSPR13-0003 OWNER: PINES COTTAGES OF INDIAN RIVER, LLC APPLICANT: WILLEY, DEBRA ADDRESS: 6053 PROSPECT PARCEL#: 161-I31-006-005-00 APPROVED: 06/20/2013 STATUS: CLOSED FINALED:</p>	<p>REQUEST: Requests a Site Plan Review for a gazebo for an existing cottage rental (Section 6.2.12). The property is located at Prospect St, Tuscarora Township, Section 24, parcel #161-I31-006-005-00 and is zoned Commercial Development (D-CM).</p>	<p>PC APPROVAL: Motion by Mr. Freese, seconded by Mr. Kavanaugh, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the stipulation that Department of Building Safety requirements be met. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdzzyk)</p> <p style="text-align: right;">1/6/20-Mike Peltier-Closed due to statute of limitations</p>
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<p>PERMIT #: PSPR13-0005 OWNER: WHITEWOOD INC./ R. WHITENER APPLICANT: VIZINA, BARRY T ADDRESS: 3792 S STRAITS HWY PARCEL#: 161-024-400-230-00 APPROVED: 10/02/2013 STATUS: CLOSED FINALED:</p>	<p>REQUEST: Requests a Site Plan Review for Auto Sales (Section 6.2.2). The property is located at 3792 S. Straits Hwy, Tuscarora Township, Section 24, parcel #161-024-400-230-00 and is zoned Commercial Development (D-CM).</p>	<p>PC APPROVAL: Motion by Mr. Freese, seconded by Mr. Kavanaugh, to approve the site plan based on the General Findings the Specific Findings of Fact Under Section 20.10 with the following stipulations:</p> <ol style="list-style-type: none"> 1. Maximum of 15 vehicles 2. No inoperable vehicles 3. No washing or maintenance of vehicles <p>Motion carried unanimously.</p> <p style="text-align: right;">1/6/20-Mike Peltier-Closed due to statute of limitations</p>
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PLANNING COMMISSION APPROVALS 2013 - 2019

PERMIT #:	PSPR14-0003	REQUEST:	PC APPROVAL:
OWNER:	DDC ENTERPRISES, INC	Requests a Site Plan Review for auto sales.	Motion by Mr. Kavanaugh, seconded by Mr. Bartlett, to approve the site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the stipulation that Department of Building Safety requirements are met. Motion carried unanimously.
APPLICANT:	RIVERTOWN AUTO	The property is located at 10585 N. Straits Hwy., Inverness Township, section 7,	
ADDRESS:	10585 N STRAITS HWY	parcel #092-007-200-043-00 and 092-007-200-047-00 and is zoned Commercial	
PARCEL#:	092-007-200-047-00	Development (D-CM).	
APPROVED:	07/16/2014		12/11/19-Mike Peltier- Talked to Manager Mike. He states that no building was erected and nothing was done with the property. Closed
STATUS:	CLOSED		
FINALED:			
PERMIT #:	PSPR14-0004	REQUEST:	PC APPROVAL:
OWNER:	WILSON, TONI	Requests a site plan review for a restaurant.	Motion by Mr. Freese, seconded by Mr. Kavanaugh, to approve site plan based on the General Findings and the Specific Findings of Fact Under Section 20.10 with the stipulation that Department of Building Safety requirements be met. Motion carried unanimously.
APPLICANT:	WILSON, TONI	The property is located at 6031 M-68,	
ADDRESS:	6031 W M-68	Tuscarora Township, Section 25, parcel	
PARCEL#:	161-025-200-026-01	#161-025-200-026-01 and is zoned	
APPROVED:	07/02/2014	Commercial Development (D-CM).	
STATUS:	CLOSED		12/17/19-Mike Peltier- Talked to owner Toni Wilson. She states this property has not been a restaurant for 5-6 years. SPR is closed.
FINALED:			
PERMIT #:	PSPR15-0002	REQUEST:	PC APPROVAL:
OWNER:	ANDREWS, R M INVESTMENTS, LLC	Requests a Site Plan Review for General	Motion by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the special use permit and the site plan based on the General Findings, Finding of Fact Under Section 18.7 and the Specific Findings of Fact Under Section 20.10 subject to written approvals from MDOT, Cheboygan County Road Commission, District Health Department #4, EPA, DEQ, Soil Erosion/Stormwater and Department of Building Safety. Motion carried unanimously.
APPLICANT:	CRISMAN JONES	retail sales (Section 6.2.17) and a Special	
ADDRESS:		Use Permit for a Gas service station	
PARCEL#:	092-007-200-001-02	(Section 6.3.4). The property is located at	
APPROVED:	02/18/2015	11115 N. Straits Hwy., 11071 N. Straits	
STATUS:	CLOSED	Hwy., 11065 N. Straits Hwy., 11047 N.	
FINALED:		Straits Hwy, 11031 N. Straits Hwy., 10999	
		S. Tannery Rd., Inverness Township,	
		Section 6 and Section 7, parcel # 092-006-	
		300-015-00, 092-007-200-027-00, 092-007-	
		200-001-04, 092-007-200-026-00, 092-007-	
		200-001-05, 092-007-200-025-00, 092-007-	
		200-024-00, 092-007-200-001-03 and 092-	
		007-200-001-02 and is zoned Commercial	
		Development (D-CM).	12/17/19-Mike Peltier- Structures never built. Closed out.