



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING WEDNESDAY, JULY 17, 2013 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill
ABSENT: Jazdyk
STAFF: Scott McNeil, Steve Schnell
GUESTS: John F. Brown, John Moore, Bob Lyon, Charles Veneros, Mary Barker, Stu Dibley

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

APPROVAL OF MINUTES

The July 3, 2013 Planning Commission minutes were presented. **Motion** by Mr. Borowicz, seconded by Mr. Churchill, to approve the meeting minutes as presented. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdyk)

PUBLIC HEARING AND ACTION ON REQUESTS

Draft Zoning Ordinance Amendment Regarding Section 3.7 Regarding General Lighting Requirements and Protective Screening Requirements.

Mr. McNeil stated the proposed amendment is due to enforcement issues. Mr. McNeil stated a definition of glare has been added and lighting requirements have been added to Residential Development, Lake and Stream Protection, Mixed Residential Development and Natural Rivers Protection zoning districts. Mr. McNeil stated the lighting requirement will not apply in all other zoning districts. Mr. McNeil read section 3.7.1 "All outdoor lighting used for illumination of any premises, within the Residential Development (D-RS), Mixed Residential Development (D-MR), Lake and Stream Protection (P-LS) and Natural Rivers Protection (P-NR) zoning districts, shall be shielded to prevent glare."

Mr. McNeil stated provisions have been added for greenbelts, walls and fences at intersections. Mr. McNeil stated greenbelts, walls and fences must be set back 20ft. from an intersection. Mr. McNeil stated this section of the ordinance has been appropriately located in the ordinance to the section that deals with protective screening.

Ms. Croft asked for public comments. Mr. Moore stated the definition of glare is lenient. Mr. McNeil stated that the proposed amendment, including the definition, was reviewed by legal counsel. Mr. Kavanaugh asked if Mr. McNeil reviewed this definition in other ordinances. Mr. McNeil stated that this definition is simple but some ordinances require review by design committees and others have diagrams in the ordinance showing how it shall be shielded. Mr. Brown asked how this will affect lighting on a flag. Mr. McNeil stated it will not have any bearing as there is not much glare associated with this type of lighting. Public comment closed.

Motion by Mr. Kavanaugh, seconded by Mr. Borowicz, to forward the amendment to the Cheboygan County Board of Commissioners with a recommendation for approval. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdyk)

UNFINISHED BUSINESS

2014 Capital Improvement Program

Ms. Croft stated that Mr. Bur has an additional item he would like to include in the Capital Improvement Program for 2014. Mr. Bur stated the adult day care center has grown and people are being denied access because of space. Mr. Bur stated they are able to handle 14-17 clients but there are currently 25 clients. Mr. Bur stated if all 25 showed up on the same day they would have to turn some of them away. Mr. Bur stated there are 17 clients, 4 caregivers, 1 nurse and other people in an area that is just under 1,000sf. Mr. Bur stated this proposal is to add a 20ft. x 40ft. addition on the side of the building. Mr. Bur stated this addition will allow for 30 clients and 4 additional staff and better satisfy the needs of Cheboygan County. Mr. Bur stated this year a lot of people have discovered this service and they will now make \$6,000-\$7,000 above costs. Mr. Bur stated millage money is not used for the operation and it is a fee based service. Mr. Bur stated anywhere from \$14 to \$42 can be charged and the fee is based on the household income. Mr. Bur stated the cost for the addition will be approximately \$88,000. Mr. Bur stated he has applied for a grant for \$10,000.

Mr. Kavanaugh asked if the \$14 - \$42 charge is a per hour or per day fee. Mr. Bur stated it is a daily charge. Mr. Kavanaugh asked what type of adults can use this service. Mr. Bur stated most of the adults have Alzheimer's or dementia and do not require constant care. Mr. Bur explained that in the future they would like to expand their hours to include evening hours. Mr. Kavanaugh stated there is a need for this type of service. Mr. Bur stated 4 additional staff will be hired if there are 30 clients. Mr. Churchill asked Mr. Bur what are the future needs (10 years). Mr. Bur stated 26% of Cheboygan County is over the age of 65 and the over 80 is the fastest growing segment. Mr. Bur stated this need is not shrinking. Mr. Bur stated Sand Castles was started in 2005 and has grown in the past few years due to referrals. Mr. Churchill asked if this proposed addition will be large enough for future growth. Mr. Bur stated no but noted that this is the biggest addition that can be proposed for this parcel. Mr. Bur stated a few years ago they were contemplating using the Black River School for the Senior Center.

Ms. Croft stated the Planning Commission must determine whether the latest projects should be classified as needed or desired. The Planning Commission agreed the following items are to classified as needed: Adult Day Care Expansion, Airport Terminal Ramp Rehabilitation, Sand Road Senior Center Parking Lot Resurfacing, Sand Road Senior Center Septic System, Wolverine Senior Center Parking Lot Resurfacing, Wolverine Senior Center Roof Replacement and Village of Wolverine Lumberman's Park Restroom Facility. The Planning Commission agreed the following items are to classified as desired: Tower Pond Trailhead.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to schedule a public hearing for the Capital Improvement Program on August 21, 2013. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdyk)

Draft Zoning Ordinance Amendment Relative To Section 17.7. Tents, Campers, Travel Trailers, Motor Homes and undersize Mobile Home

Mr. McNeil reviewed section 17.7.1 which addresses use as a temporary dwelling while the owner completes construction of a dwelling. Mr. McNeil reviewed section 17.7.2 which addresses use as an office for a caretaker or watchman. Mr. McNeil reviewed section 17.7.3 which addresses use as a temporary contractor's office and/or for storage purposes in conjunction with a construction project. The Planning Commission did not have any concerns regarding these sections.

Mr. McNeil reviewed section 17.7.4 which addresses use on lots in the Agriculture and Forestry Management zoning district. Ms. Lyon stated her concerns regarding 1 acre being a requirement for each tent, travel trailer, camper or recreational vehicle. Mr. Kavanaugh noted that state law requires a temporary campground permit for more than four units. Mr. Kavanaugh stated the proposed amendment is less restrictive and noted that it would allow 100 tents on 100 acres. Mr. Kavanaugh and Mr. Freese explained that the current language is very restrictive. Mr. Churchill stated he knows of a family reunion that occurs each year with 6 or 7 campers on 2 acres. Discussion was held on how to address this issue in the proposed amendment.

Mr. McNeil reviewed section 17.7.5 which addresses use on vacant lots in all other zoning districts except Agriculture and Forestry Management. Mr. McNeil reviewed section 17.7.5.4 which addresses use on a vacant lot when located 1000ft. or less from a dwelling in all other zoning districts. Mr. McNeil reviewed section 17.7.5.5 which addresses use on a vacant lot when located more than 1000ft. from a dwelling in all other zoning districts.

Mr. Kavanaugh suggested allowing families to camp in a yard for a few nights. Mr. McNeil stated this is addressed in section 17.7.7. Mr. Kavanaugh stated it needs to be addressed in section 17.7.4. Discussion was held. Mr. McNeil stated he will work on allowing a denser gathering for a short period of time.

Mr. Borowicz questioned if section 17.7.5 is necessary as the use will either be within or not within 1000ft. of a dwelling and is

covered under other sections of the amendment. Mr. Borowicz noted that including this section is confusing. Mr. Churchill agreed with Mr. Borowicz. Mr. McNeil explained that section 17.7.5.5 allows campers to be kept on the parcel when not being used. Mr. McNeil stated it allows more campers to stay on a parcel based on the size. Mr. Borowicz suggested including section 17.7.5 in other sections of the proposed amendment. Discussion was held. Mr. McNeil will include section 17.7.5 in section 17.7.5.4 and section 17.7.5.5. Mr. Ostwald asked Mr. Kavanaugh what is required by the Health Department. Mr. Kavanaugh stated a temporary permit is required for over four sites and sewage, water and garbage must be addressed. Mr. McNeil referred to section 17.7.5.5.a and asked if the Planning Commission prefers 10 acres or 5 acres. The Planning Commission agreed on 5 acres.

Mr. McNeil reviewed section 17.7.6 which addresses use on a waterfront lot. Discussion was held regarding whether or not the front setback requirement of 100ft. should be changed to 40ft.

Mr. McNeil reviewed section 17.7.7 which addresses use on a lot with a dwelling for short term stays in all other zoning districts. Mr. McNeil stated this is the section that addresses visitors/family coming to the home and camping. Mr. Kavanaugh stated short term stays are important. Mr. Freese stated section 17.7.7.2 addresses family reunions and holidays. Mr. McNeil asked how many units should be allowed. Ms. Lyon suggested using the state regulation which requires a permit for four sites. Mr. Kavanaugh and Mr. Freese agreed this would be reasonable.

Mr. McNeil reviewed section 17.7.8 which addresses tents and undersized mobile homes as an accessory building. Mr. McNeil stated this section addresses carports. Discussion was held regarding construction code regulations for carports.

Mr. McNeil reviewed section 17.7.A regarding outdoor storage of travel trailers, campers and recreational vehicles. Mr. Freese stated they should be allowed at the back of a vacant lot. Mr. Kavanaugh stated storage should be only for the owner or occupant.

Proposed Zoning Ordinance Amendment Providing For Commercial Farms and Hobby Farms In Preparation For Elimination Of Zoning Permit Fees For Commercial Farm Buildings

Mr. McNeil stated this amendment will make a clear distinction between those that are farming for commercial purposes and those that are not farming for commercial purposes. Mr. McNeil stated this amendment adds definitions relative to the use and relative to the buildings. Mr. McNeil stated the definitions of Agriculture, Agricultural Building, Farm and Farm Buildings will be repealed. Mr. McNeil stated Commercial Farm, Commercial Farm Buildings, Domestic Farms and Domestic Farm Buildings will be permitted uses in the Agriculture and Forestry Management zoning district. Mr. McNeil noted that Commercial Farm Buildings are exempt from maximum structure height requirements. Mr. McNeil explained that a zoning permit will still be required but there will not be a fee for the zoning permit. Mr. McNeil stated if this amendment is approved by the Planning Commission, it will be presented with the farm markets and farm products stand amendment to the Cheboygan County Board of Commissioners. Ms. Croft asked if legal counsel has reviewed this amendment. Mr. McNeil stated yes. **Motion** by Mr. Freese, seconded by Mr. Bartlett, to schedule a public hearing for August 21, 2013 for the amendment providing for commercial farms and hobby farms. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdzyk)

Master Plan Update

Mr. Schnell stated this latest update has minor changes since the last review. Mr. Schnell stated he added a new page 5 which is an index of tables. Mr. Schnell stated page 114 to the end includes a list of all the Master Plan public meetings. Mr. Schnell stated the final pages which are required reference the airport approach plans that have been submitted. Mr. Schnell stated he has not received anything from the Calvin Campbell Airport in Indian River which is understandable as there have not been any changes.

Mr. Schnell stated that state law requires that when the master plan is ready to go public review for the final time it must be sent to the Cheboygan County Board of Commissioners for review and comment. Mr. Schnell stated the Cheboygan County Board of Commissioners will approve the distribution of the proposed master plan. Mr. Schnell stated he is still working on the recreation plan which will be a separate plan. Mr. Schnell noted that once the Cheboygan County Board of Commissioners has reviewed the master plan and made comments, there will be a 63 day window for public review and comments.

Motion by Mr. Kavanaugh, seconded by Mr. Bartlett, to forward the proposed master plan to the Cheboygan County Board of Commissioners for review and comment.

Ms. Croft asked if there is a timeframe for the Cheboygan County Board of Commissioners to review and comment. Mr. Schnell stated no.

Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Ostwald, Lyon, Churchill), 0 Nays, 1 Absent (Jazdyk)

Mr. Kavanaugh stated his concerns regarding Travis Connors property being further developed prior to the special use permit approval conditions being met. Mr. Kavanaugh stated his concerns that there is a dock at this site now that is being rented to another family. Mr. Kavanaugh stated the Planning Commission's intent was for it to be used for the rental units that came from Mr. Connors business. Mr. Kavanaugh suggested that legal counsel review the approval to see if the Planning Commission's restrictions were acceptable. Mr. Kavanaugh stated the request should be reviewed again if the Planning Commission's restrictions are not acceptable. Ms. Croft noted that legal counsel attended this meeting and would have said something at the meeting if there was a problem with the Planning Commission's motion. Mr. Kavanaugh stated that the Planning Commission said excavating (preparing the soil) for the placement of the dock was acceptable. Mr. Kavanaugh stated Mr. Connors was not to put in the parking lot or the road. Mr. Kavanaugh stated the dock should not have been installed or rented out and there wasn't supposed to be any funneling. Mr. McNeil stated Mr. Connors contacted him and told him that the house was rented and a dock was put out for the use of that family that is renting the house. Mr. McNeil stated this is a permitted use which is acceptable until the special use permit conditions are met and the special use is in place. Mr. McNeil stated he will review this with legal counsel. Discussion was held.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil stated that legal counsel has had concerns regarding the content neutral language in the proposed sign amendment. Mr. McNeil stated he is also considering listing windows signs and wall signs separately instead of combining them. Mr. McNeil stated this amendment will be brought back to the Planning Commission for further discussion.

Mr. Schnell provided an update on the Northern Lakes Economic Alliance to the Planning Commission.

Mr. Schnell stated there is need for additional inspection time in the Department of Building Safety. Mr. Schnell stated Matt Cronk is now a registered building inspector also. Mr. Schnell stated Mr. Cronk can check the footing depth when he is also checking the setbacks. Mr. Schnell stated there has been really good feedback from the contractors. Discussion was held.

PLANNING COMMISSION COMMENTS

Mr. Freese asked if Mr. Cronk has checked into the boat sales and the contractor's yard on Straits Highway. Mr. McNeil stated that Mr. Cronk is dealing with these enforcement issues. Discussion was held.

Ms. Croft stated there was a barrel of tar at Lakes Center on Straits Highway that was to be temporary. Ms. Croft questioned what is considered temporary. Mr. McNeil stated he has talked to Mr. Cronk regarding this issue. Discussion was held regarding covered boat storage being allowed on this site.

Ms. Croft stated a car dealer on Straits Highway was limited with the number of vehicles that were to be on the site. Ms. Croft stated the number of vehicles on the site is more than what was allowed. Mr. Freese stated there are junk vehicles on the site also. Discussion was held.

Mr. Ostwald asked if Mr. Cronk has checked into the Riggsville campground that was in the newspaper recently. Discussion was held.

Ms. Croft referred to the lot to the north of Mr. Connors sports center and stated there is a motor home, boat, fire truck and boat hoist on the lot. Ms. Croft stated these items should not be on this lot. Discussion was held.

Mr. Churchill asked if Mr. Lofgren's building will be removed. Discussion was held. Mr. Schnell stated Mr. Lofgren has met Department of Building Safety requirements.

Mr. Kavanaugh stated there is a boat livery operating out of the boat launch in the Village of Mullett Lake. Discussion was held. Mr. Schnell stated he will talk to the DNR to find out more details.

PUBLIC COMMENTS

Mr. Dibley stated there is a fence on Straits Highway with a sign on it that notes that the fence was put up by the neighbor. Mr.

Dibley believes that there should be a requirement that the good side of the fence should face the neighbor. Mr. Dibley suggested requiring a setback from the right-of-way. Discussion was held.

Mr. Brown noted that Mr. Connors was granted a license from Mullett Township for access across township property located by the trail. Discussion was held.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:28pm.

A handwritten signature in cursive script, appearing to read "Charles Freese", written in black ink. The signature is positioned above a horizontal line.

Charles Freese
Planning Commission Secretary