



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, OCTOBER 5, 2016 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

PUBLIC HEARING AND ACTION ON REQUESTS

1. **JENNA CORBIN /CASS CASUCCI** - Requests a site plan review for an exercise business (Office – Section 13B.2.7) The property is located at 3491 S. Straits Hwy., Tuscarora Township, Section 24, parcel #161-M55-033-010-00 and is zoned Village Center Indian River Overlay (VC-IR-O).

UNFINISHED BUSINESS

1. Zoning Ordinance Amendment Regarding Mobile Food Units

NEW BUSINESS

1. Zoning Ordinance Amendment Regarding Restaurant, Convenience Store And Vehicle Repair Use Review
2. Discussion Regarding Use Terminology Review Priorities

STAFF REPORT

PLANNING COMMISSION COMMENTS

PUBLIC COMMENTS

ADJOURN



CHEBOYGAN COUNTY PLANNING COMMISSION

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

CHEBOYGAN COUNTY PLANNING COMMISSION MEETING & PUBLIC HEARING WEDNESDAY, SEPTEMBER 21, 2016 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk
ABSENT: Kavanaugh
STAFF: Scott McNeil
GUESTS: Eric Boyd, Bob Lyon, John Moore, Tony Matelski, Carl Muscott, Russell Crawford, Cheryl Crawford, Jeff Jakeway,

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

PLEDGE OF ALLEGIANCE

Chairperson Croft led the Pledge of Allegiance.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

The September 7, 2016 Planning Commission minutes were presented. Mr. Freese noted that the following corrections are to be made regarding the conditions for Brian Frost’s special use permit request on page 3:

6. No junk automobiles or other junk vehicles or junk equipment on the property.
8. The berm shall have a minimum of 3 foot high evergreens planted on the top of the berm every 6 feet apart.
12. All material to be enclosed within the bermed area and no further accumulation of salvage material until the rest of the area is cleared and the material within the bermed area is separated.
16. Zoning Administrator to monitor no less than monthly for the first year. After one year, the Zoning Administrator is to monitor no less than every six months.

Motion by Mr. Churchill, seconded by Mr. Borowicz, to approve the meeting minutes with changes. Motion carried. 8 Ayes (Bartlett, Freese, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdyk), 0 Nays, 1 Absent (Kavanaugh)

PUBLIC HEARING AND ACTION ON REQUESTS

An Ordinance to Amend Section 17.19. of the Cheboygan County Zoning Ordinance No 200 to provide definitions, regulations and standards for signs.

Mr. McNeil stated that this is a continuation of the public hearing that was adjourned at the previous meeting. Mr. McNeil stated the adjournment allowed time to research temporary sign provisions which may be in conflict with other state law. Mr. McNeil stated that language has been included in section 19.19.2.B which shall address any conflict.

Ms. Croft asked for public comments. Mr. Muscott referred to section 17.19.2.B.1 and noted that only 2 signs are allowed on a lot. Mr. Muscott stated that many people put up more than 2 political signs. Ms. Croft stated that the “except as otherwise provided by law” will cover this issue. Mr. Freese stated that political signs are regulated by the state. Mr. Muscott questioned if the state addresses how many signs are allowed on a lot. Mr. McNeil stated that if state law does not address the number of signs, then this regulation would apply. Mr. Freese stated that the Planning Commission can not exempt political signs because they would then be specifying content. Mr. McNeil stated there are other options such as other signage with permits. Mr. Muscott stated that this could end up in a court case regarding free speech. Discussion was held regarding 2 signs being allowed whether the lot is 40 acres or 60ft. wide. Mr. Moore noted that there may be an issue with

realty signs having to be removed from a lot within 60 days of placement. Mr. McNeil stated that realty signs are covered under the provision regarding signs pursuant to a written contract. Public comment closed.

Mr. Freese suggested not regulating temporary signs and removing the section from the regulation. Mr. McNeil stated the number of signs can be removed. Ms. Lyon and Mr. Freese agreed that the number of signs should be removed. Mr. McNeil will review the Planning Commission's concern with legal counsel. Mr. McNeil noted changing the number of temporary signs would be a substantial change and another public hearing will have to be scheduled. Discussion was held. Mr. McNeil stated that each sign is allowed to be up to 8sf and no more than 4ft. in height. Mr. Freese asked Mr. McNeil to determine the number of signs allowed and to have a planning justification for the number of signs. Mr. Jazdyk suggested regulating only the square footage of signs and not the number of signs. Mr. Jazdyk noted that there would be a risk of having a large sign. Discussion was held.

JEFF JAKEWAY/THE JAKEWAY FAMILY TRUST/DANIEL GEARHART FAMILY LIVING TRUST - Requests a site plan review for a Specialty Retail and Restaurant – Sections 6.2.9 and 6.2.19 The property is located at 4104 South Straits Hwy., 4092, South Straits Hwy., 4082 South Straits Hwy. and 4062 South Straits Hwy., Tuscarora Twp., Section 25, parcel #161-025-200-007-00, #161-025-200-007-01, #161-025-200-008-00 and #161-025-200-009-00 and is zoned Commercial Development (D-CM).

Mr. McNeil stated that the applicant is requesting site plan review for a property where there is currently a garden center located in the Commercial Development Zoning District. Mr. McNeil stated that the proposed uses are a specialty retail (garden center, landscaping and retail business) and fast food restaurant (coffee shop). Mr. McNeil referred to the site plan and noted the location of the proposed structure. Mr. McNeil reviewed the floor plan of the proposed structure. Mr. McNeil stated that the Mr. Jakeway received approval from the Zoning Board of Appeals to extend the proposed structure into the rear setback. Mr. McNeil noted the location of the driveways, parking areas and stacking parking spaces for the drive through window at the coffee shop. Mr. McNeil explained that the site plan proposes entering the site from M-68 and exiting the site on Old Trail Road. Mr. McNeil stated that the ordinance requires 5 stacking spaces and the applicant provided 3 stacking spaces on site. Mr. McNeil stated that the Zoning Board of Appeals approved a 2 parking space variance.

Mr. Drews stated that he is with Northern Michigan Engineering and he has assisted Mr. Jakeway with the site plan. Mr. Drews stated he spent a lot of time on traffic flow and access when working on the site plan. Mr. Drews stated that several structures are being removed. Mr. Drews noted that the north entrance on M-68 is a one way entrance and the other entrances are two way. Mr. Drews explained that MDOT requirements will be met. Mr. Drews stated this is an existing use, which will be enhanced.

Mr. Jakeway stated that he and his wife have owned Northstar Gardens for 18 years. Mr. Jakeway stated that currently there are 8 parking spaces which are not sufficient in the spring. Mr. Jakeway stated that a coffee shop within a store allows his staff to be employed year round. Mr. Jakeway stated that he has another landscape center in Gaylord. Mr. Jakeway explained that until the sewer was put in Indian River he was not able to expand as a drain field would absorb the majority of his lot. Mr. Jakeway stated that they employ 52 employees and this will add approximately 12 more employees. Mr. Jakeway reviewed the site plan. Mr. Jakeway stated that he currently has 8 parking spaces and this will be increased to 27 parking spaces. Discussion was held regarding the Zoning Board of Appeals approving the variance requests. Mr. Jakeway explained that with the existing buildings there are 747sf that does not comply with setback requirements. Mr. Jakeway explained that with the proposed buildings there will be 143sf that does not comply with setback requirements. Mr. Jakeway stated that he can keep the business as it is currently and lay employees off during the winter or he can expand his business and keep his employees working. Mr. Jakeway explained that he is using a "rack to retail" business method. Mr. Jakeway stated that no semi-trucks will deliver to the Indian River location. Mr. Jakeway stated that the products will be loaded on racks and put on a delivery truck in Wolverine. Mr. Jakeway explained that the products will be delivered to the Indian River location and sold directly from the rack. Mr. Jakeway explained that there is less handling of the products. Ms. Lyon asked if Old Trail Rd. is a two way road. Mr. Jakeway stated yes.

Mr. Freese stated the Zoning Board of Appeals granted the three variance requests as the grandfathered setback is being reduced by removing the buildings and MDOT approved the entrance. Mr. Freese stated that at the Zoning Board of Appeals meeting Mr. Jakeway stated he plans to save as many trees as possible. Mr. Freese asked if Mr. Jakeway plans to pave Old Trail Road. Mr. Jakeway stated yes, but he wants to make sure that the sewer is complete before he paves the road. Mr. Jakeway stated he will make sure that there is dust control and that the road is maintained.

Ms. Croft asked for public comments. Mr. Muscott commended Mr. Jakeway and everyone who worked on this plan. Mr. Muscott stated this is a difficult site, but it is a high traffic site. Mr. Muscott stated he appreciates all the effort that was done.

Mr. Muscott stated that the public will get used to the traffic flow through the parking lot. Mr. Muscott stated that he is glad to see the proposed improvements for North Star. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Churchill, to grant the topography waiver request. Motion carried. 8 Ayes (Bartlett, Freese, Borowicz, Croft, Ostwald, Lyon, Churchill, Jazdzyk), 0 Nays, 1 Absent (Kavanaugh)

The Planning Commission revised the General Findings:

6. The variance for rear setbacks have been approved by the Zoning Board of Appeals.
7. The variance for stacking parking spaces has been approved by the Zoning Board of Appeals.

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:

1. Approval from Cheboygan County Road Commission
2. Approval from Michigan Department of Transportation
3. Approval from Department of Building Safety
4. Approval from District Health Department #4
5. Improvements to Old Trail Road are to be in accordance with Cheboygan County Road Commission regulations and completed as soon as practical

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

UNFINISHED BUSINESS

Review of proposed Zoning Ordinance Amendment regarding Mobile Food Units

Mr. McNeil stated that at the last Planning Commission meeting there was a single issue regarding use on right of ways. Mr. McNeil stated that language has been included that a zoning permit can not be issued for use on a right of way, but the agency with jurisdiction can approve the use within the right of way. Mr. McNeil stated that Mr. Freese had concerns regarding mobile food units on a private road right of way. Mr. McNeil stated that he does not see this as being an issue if we know who owns the private road right of way and permission has been granted to allow the mobile food unit.

Mr. Jazdzyk referred to section 17.29.c and stated his concerns that site plan approval would be required for more than 1 mobile food unit on a lot. Mr. Jazdzyk stated that 2 mobile food units on a lot do not equate to the construction of a building which warrants a lot of effort by the Planning Commission. Mr. Jazdzyk stated his concerns that the owner is to obtain site plan approval. Mr. Jazdzyk questioned if a representative could apply for the site plan approval. Mr. Jazdzyk suggested that this be reviewed by Mr. McNeil instead of the Planning Commission. Mr. Borowicz stated that this section can be deleted. Mr. McNeil stated he will change the language so it is not single mobile food unit specific and other language changes will have to be made. Discussion was held.

Mr. Jazdzyk referred to section 17.29.b and stated that multiple locations should be allowed on a permit instead of requiring a zoning permit for each location. Mr. McNeil stated that the zoning permit fee is \$30.00 and staff recommends that we continue to issue permits on a per lot basis. Mr. McNeil stated there is significant review with each location that must take place. Mr. McNeil stated that this use is being taken out of the site plan review process which would be at a minimum of \$110.00. Mr. McNeil stated that these require more review than a regular zoning permit. Mr. Borowicz noted that the City of Cheboygan has 2-3 of these mobile food units operating and he does not believe it is a huge item at this time. Mr. Freese stated he agrees with Mr. Jazdzyk but the establishment of the fee is supposed to be based on the requirement of the time put into reviewing the application. Mr. Freese stated if a permit is being issued for 5 different sites, there will be 5 times as much work to review the application. Mr. Freese stated it is permissible for cities and villages to register/license a vendor. Mr. Freese stated that this is not permissible for counties. Discussion was held. Mr. McNeil stated that all land uses should be treated equal. Mr. McNeil believes that we would be giving mobile food units an advantage over permits that other businesses are required to comply with. Mr. Freese noted that previously a site plan review was required and it is now being changed to a zoning permit which costs \$30.00. Mr. Freese stated that the applicant could submit zoning applications for 5 sites for what it would have cost for site plan review for 1 site. Mr. Borowicz noted that the applicant may also have a license for more sites within the City of Cheboygan. Mr. McNeil stated he will make the changes and bring the amendment back for the Planning Commission to review.

Discussion of Draft Boat House Survey

Mr. McNeil stated that the Planning Commission has a copy of the introduction letter which includes an image of a boat shelter (supplied by Mr. Muscott). Mr. McNeil stated that he talked with Mr. Schnell regarding this survey and they would like to put it on a postcard and direct people to an on-line survey. Mr. McNeil suggested holding special meetings with focus groups as opposed to a survey. Mr. McNeil stated that with focus groups there will be a better exchange of ideas and thoughts. Mr. McNeil stated that we could come up with just as good of a product, or maybe better, by using focus groups. Mr. Freese stated that with the results of the survey, we could then hold special meetings with focus groups. Mr. Jazdzyk agreed with Mr. Freese as the survey results would provide a place to start with the focus group. Discussion was held. Mr. Freese stated that he wants the people on the water to know about the proposed boat house changes. Mr. Freese stated that many if not most wouldn't know about it if there is just a meeting. Discussion was held regarding surveys being available in the office for the public to complete and submit. Mr. McNeil asked if the survey should be mailed in the spring. Mr. Freese stated that this topic should continue to be discussed, but the survey can be mailed in the spring. Mr. McNeil noted that he has also provided a list of stakeholders. Mr. Churchill referred to the survey and stated that the second question should be listed first. Mr. Churchill referred to the fourth question and stated that it should reference new built boat shelters. Discussion was held.

NEW BUSINESS

No comments.

STAFF REPORT

Mr. McNeil stated that the Cheboygan County Board Of Commissioners approved the Planned Project amendment.

Mr. McNeil stated that an amendment regarding restaurants, convenience stores and auto repair will be on the next Planning Commission agenda.

PLANNING COMMISSION COMMENTS

Ms. Lyon stated that Mr. Jakeway's presentation was the best presentation she has seen since she has been on the Planning Commission. Mr. Freese stated his concerns regarding people who start a project without approvals. Mr. Freese stated he has a problem with the fact that we do not stop these people. Mr. McNeil stated that the ordinance allows for fines to be issued, but that has not been the policy. Discussion was held.

PUBLIC COMMENTS

Mr. Muscott thanked Ms. Lyon for her comments regarding Mr. Jakeway as he is an excellent example of a local business man who follows the rules. Mr. Muscott stated that he agrees with Mr. Freese that there are others that do not follow the rules. Ms. Muscott referred to the boat house survey and stated that only a few pennies will be saved by sending a post card instead of paper. Discussion was held.

ADJOURN

Motion by Mr. Borowicz to adjourn. Motion carried. Meeting was adjourned at 8:19pm.

Charles Freese
Planning Commission Secretary

CHEBOYGAN COUNTY PLANNING COMMISSION

Jenna Corbin – *Revised 10/03/16*

Exhibit List

1. Cheboygan County Zoning Ordinance
2. Cheboygan County Master Plan
3. Site Plan Review Application (6 Pages)
4. Site Plan (1 Page)

The following items were added to the exhibit list on 09/28/16:

5. E-mail dated 09/27/16 from Brent Shank, Cheboygan County Road Commission Engineer/Manager (1 Page)

The following items were added to the exhibit list on 10/03/16:

6. E-mail dated 10/03/16 from David Carpenter, Tuscarora Township Fire Chief (1 Page)
- 7.
- 8.

Note: Planning Commission members have exhibits 1 and 2.



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PROPERTY LOCATION

Address 3491 S. STAIRS Hwy	City / Village Indian River	Twp / Sec. Z4 TUSCUMACON	Zoning District OC-IR-0
Property Tax I.D. Number 161-1855-033-01000	Plat or Condo Name / Lot or Unit No. F.E. MARTINS ZONE ADD to VILLAGE of IR		

APPLICANT

Name Jenna Corbin	Telephone 231-420-1850	Fax
Address 2441 Old School Rd	City, State & Zip Indian River, MI 49749	E-Mail jcorbin@adrian-edu

OWNER (if different from applicant)

Name CASS CASUCCI	Telephone 231-838-7420	Fax
Address PO Box 250	City, State & Zip Indian River, MI 49749	E-Mail ctcasucci@aol.com

PROPOSED WORK

Type (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Addition <input checked="" type="checkbox"/> Change in Use or Additional Use <input type="checkbox"/> Reconstruction <input type="checkbox"/> Relocated Building <input type="checkbox"/> Sign, Type: _____ <input type="checkbox"/> Other: _____	Building/Sign Information Overall Length: 12' 8" feet Overall Width: 11' 2" feet Floor Area: _____ sq. feet Overall Building Height: _____ feet Sign Area: _____ sq. feet Sign Height: _____ feet
--	--

PROPOSED USE (check all that apply)

<input type="checkbox"/> Single-Family Residence	<input type="checkbox"/> Expansion / Addition	<input type="checkbox"/> Office	<input type="checkbox"/> Agricultural
<input type="checkbox"/> Duplex	<input type="checkbox"/> Garage or Accessory	<input checked="" type="checkbox"/> Commercial	<input type="checkbox"/> Institutional
<input type="checkbox"/> Multi-Family, # of units _____	<input type="checkbox"/> Storage	<input type="checkbox"/> Industrial	<input type="checkbox"/> Utility
<input type="checkbox"/> Other: _____			

Has there been a Site Plan or Special Use Permit approved for this parcel before? YES NO

If YES, date of approval: **AUG 17, 2011** Approved Use: **Car Wash ATU SALES**

Directions to site: **Access from Tusconcon Twp Library.**

SITE PLAN REVIEW APPLICATION

CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT



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1. Describe all anticipated activities (e.g. type of business, hours of operation, number of employees, etc). Attach additional sheets if needed.

PERFORMANCE TRAINING STUDIO. SCHEDULE VARIES -
CURRENTLY 6am-11am, 5pm-8pm M-F. 9-10AM SAT, SUN.
1 employee

2. Site Plan Standards.

PLEASE EXPLAIN HOW YOUR REQUEST MEETS EACH OF THE FOLLOWING STANDARDS

a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

No Changes Proposed

b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.

No Changes Proposed

c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.

No Changes Proposed

d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

No Dwellings

e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.

Driveways Around Building - Access to Site from E. Stevens Hwy.

f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.

From E. Stevens Hwy.

g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.

N/A.

h. Exterior lighting shall be arranged as follows: USE OF EXISTING - NO ADDITIONAL LIGHTING

i. It is deflected away from adjacent properties. Yes

ii. It does not impede the vision of traffic along adjacent streets. Yes

iii. It does not unnecessarily illuminate night skies. Yes

SITE PLAN REVIEW APPLICATION



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SITE PLAN REVIEW APPLICATION

i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.

N.A.

j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.

Yes

3. Size of property in sq. ft. or acres: 12,242 S.F.

4. Present use of property:
Home - Excuse

5. Does the proposed use of the property include or involve either:
• Junk or salvage yard (Section 3.6) YES NO
• Mineral extraction (Section 17.17) YES NO
If YES, this application must include a written plan as described in the Zoning Ordinance.

6. Attach a copy of Warranty Deed or other proof of ownership.

7. Attach a copy of certified Property Survey or dimensioned property land plat.

AFFIDAVIT

The undersigned affirms that the information and plans submitted in this application are true and correct to the best of the undersigned's knowledge.

Applicant's Signature [Signature]

Date 9/1/16

Does the property owner give permission for County zoning officials to enter his or her property for inspection purposes?

Yes No

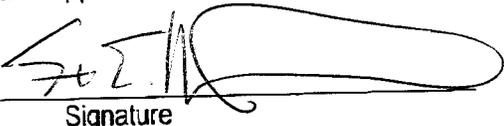
Owner's Signature [Signature]

Date 9-7-2016



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Date Received:		9/2/16	Notes:
Fee Amount Received:		\$110.00	
Receipt Number:		5266	
Public Hearing Date:		10/5/16	
Planning/Zoning Administrator Approval:			
			9/12/16
		Signature	Date

SITE PLAN REVIEW APPLICATION

SITE PLAN REVIEW APPLICATION

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

ALL ITEMS LISTED BELOW MUST BE SUBMITTED IN ORDER FOR THIS APPLICATION TO BE DEEMED COMPLETE. INCOMPLETE APPLICATIONS WILL NOT BE REVIEWED OR PROCESSED. EACH SITE PLAN SHALL DEPICT THE ITEMS LISTED BELOW, EXCEPT FOR THOSE ITEMS DETERMINED DURING THE PRE-APPLICATION CONFERENCE TO NOT BE APPLICABLE.

PLACE A CHECK MARK NEXT TO EACH REQUIREMENT TO SHOW THAT THE INFORMATION HAS BEEN SUPPLIED OR THAT A WAIVER IS BEING REQUESTED. IF A WAIVER IS BEING REQUESTED PLEASE NOTE ON THE NEXT PAGE THE REASON FOR THE WAIVER. SIGN AND DATE THIS CHECKLIST WHEN ALL ITEMS HAVE BEEN COMPLETED. PLEASE SUBMIT THIS CHECKLIST WITH YOUR APPLICATION.

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
✓		a. North arrow, scale and date of original submittal and last revision. Site plan is to be drawn at a scale of 1 inch = 100 ft. or less.
✓		b. Seal of the registered engineer, architect, landscape architect, surveyor, planner, or other site plan preparer. Location of proposed and/or existing property lines, dimensions, legal descriptions, setback lines and monument locations.
✓		c. Location of existing and proposed public roads, rights-of-way and private easements of record and abutting streets.
	✓	d. Topography at maximum five foot intervals or appropriate topographic elevations to accurately represent existing and proposed grades and drainage flows.
✓		e. Location and elevations of existing water courses and water bodies, including county drains and man-made surface drainage ways, stormwater controls, flood plains, and wetlands.
✓		f. Location of existing and proposed buildings and intended uses thereof.
✓		g. Details of entryway and sign locations should be separately depicted with an elevation view.
✓		h. Location, design, and dimensions of existing and/or proposed curbing, barrier free access, carports, parking areas (including indication of all spaces and method of surfacing), fire lanes and all lighting thereof.
N.A.		i. Location, size, and characteristics of all loading and unloading areas.
N.A.		j. Location and design of all sidewalks, walkways, bicycle paths and areas for public use as approved by the Planning Commission.
✓		k. Location of all other utilities on the site including but not limited to wells, septic systems, stormwater controls, natural gas, electric, cable TV, telephone and steam and proposed utility easements.
N/A.		l. Proposed location, dimensions and details of common open spaces and common facilities such as community buildings or swimming pools if applicable.

SITE PLAN REQUIREMENT CHECKLIST

(TO BE SUBMITTED WITH APPLICATION AND SITE PLAN)

SITE PLAN REVIEW APPLICATION

INFORMATION SUPPLIED	WAIVER REQUESTED	REQUIREMENT
N.A.		m. Location and specifications for all fences, walls, and other screening features.
✓		n. Location and specifications for all existing and proposed perimeter and internal landscaping and other buffering features.
N.A.		o. Exterior lighting locations with area of illumination illustrated as well as the type of fixtures and shielding to be used.
N.A.		p. Location, size and specifications for screening of all trash receptacles and other solid waste disposal facilities.
N.A.		q. Elevation drawing(s) for proposed commercial and industrial structures.
N.A.		r. Location and specifications for any existing or proposed above or below ground storage facilities for any chemicals, salts, flammable materials, or hazardous materials as well
N.A.		s. Floor plans, when needed to determine the number of parking spaces required.

PLEASE LIST THE REQUIREMENT FOR WHICH A WAIVER IS BEING REQUESTED. ALSO PROVIDE AN EXPLANATION/REASON FOR THE WAIVER REQUEST.

SECTION

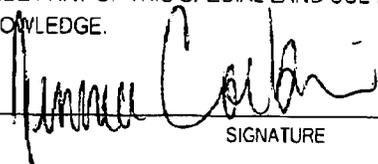
REASON FOR WAIVER REQUEST

d

Level Lot - No Curbs

AFFIDAVIT

I CERTIFY THAT ALL SITE PLAN REQUIREMENTS (A THROUGH S) ARE DRAWN ON THE SITE PLAN, ATTACHED TO THIS APPLICATION AND/OR I AM REQUESTING A WAIVER. I CERTIFY THAT ALL INFORMATION AND DATA ATTACHED TO AND MADE PART OF THIS SPECIAL LAND USE PERMIT APPLICATION ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



SIGNATURE

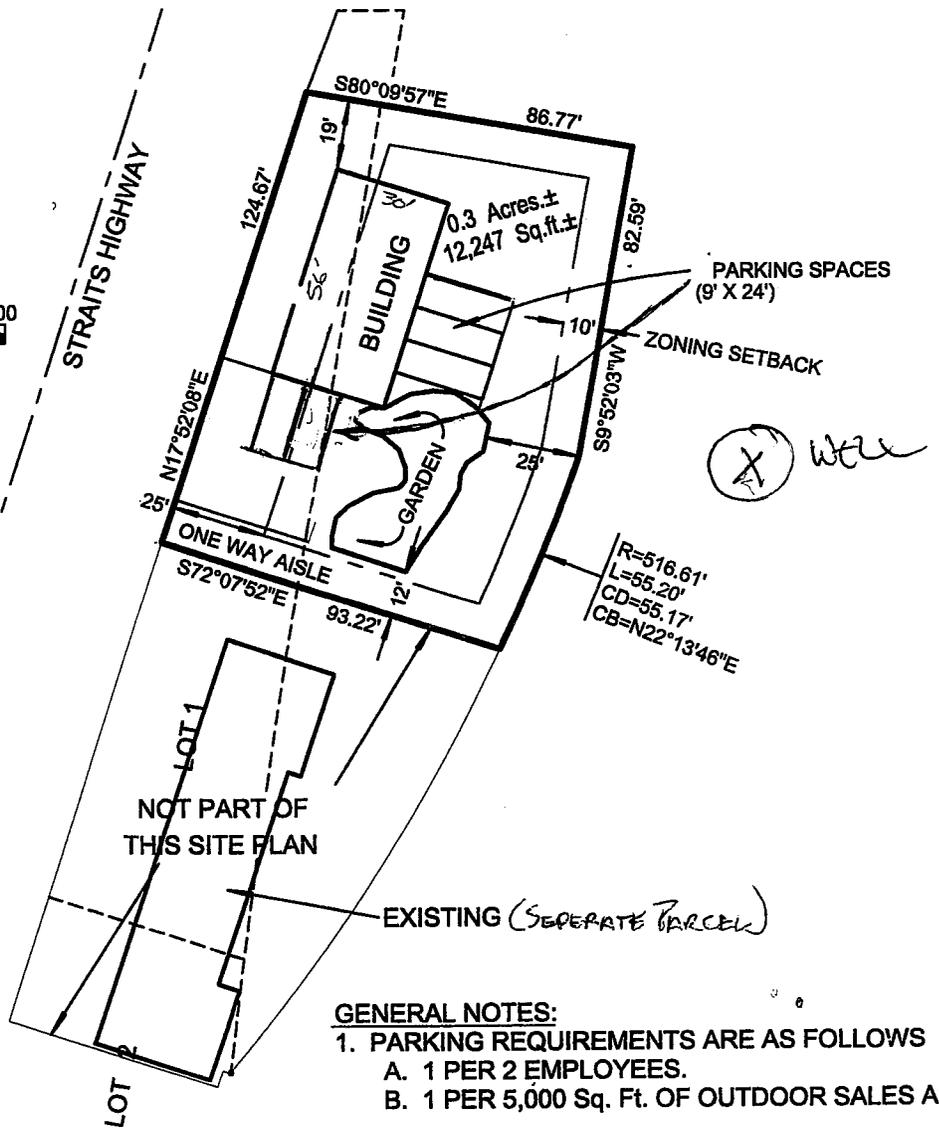
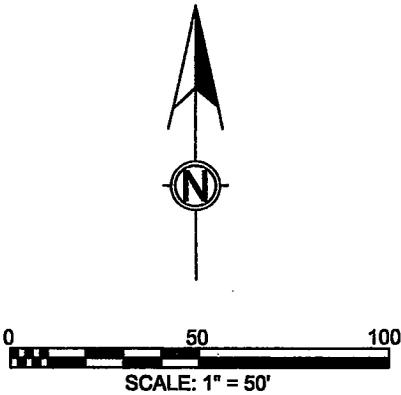
9/11/16

DATE

SITE PLAN

PART OF FE MARTIN'S 2ND ADD. TO THE VILLAGE OF I.R. &
PART OF SECTION 24, T35N-R3W, TUSCARORA TOWNSHIP
CHEBOYGAN COUNTY, MICHIGAN

CHEBOYGAN COUNTY ZONING INFORMATION ZONING ORDINANCE No. 200, ADOPTED FEBRUARY 8, 1983				
ZONING DISTRICT	MINIMUM PARCEL SIZE	YARD SETBACKS (FT)		
		FRONT	SIDE	REAR
D-CM COMMERCIAL DEVELOPMENT	Submit Site Plan	25	10	10



PREPARED UNDER THE SUPERVISION OF:

[Signature]
BRIAN K. FULLFORD
PROFESSIONAL SURVEYOR
REGISTRATION NO. 41099

GENERAL NOTES:

1. PARKING REQUIREMENTS ARE AS FOLLOWS
 - A. 1 PER 2 EMPLOYEES.
 - B. 1 PER 5,000 Sq. Ft. OF OUTDOOR SALES AREA.
2. 1,460 Sq. Ft. OF OUTDOOR SALES AREA (DISPLAY AREA) IS SHOWN.
3. CAR WASH BUILDING TO CONTINUE USE FOR WASHING & DETAILING. (CARS FOR SALE ON SITE ONLY) *seen*
4. PART OF PID #: 161-M55-033-010-00 & 161-M55-033-001-00
5. NO EARTH CHANGES PROPOSED WITH THIS PLAN.

[Signature] 9/7/16

FOR: CASS CASUCCI	SEC. 24, T35N-R3W FB: NA	DRAWN: <u> BKF </u> CHECK: <u> BKF </u>	PROJECT NO. 11-040S	SHEET 1 OF 1
FULLFORD SURVEYING & MAPPING, P.C. PO BOX 969 5097 S. STRAITS HIGHWAY, SUITE A INDIAN RIVER, MI 49749 PHONE: 231-238-9199 FAX: 231-238-9195				

Deborah Tomlinson

From: Brent Shank [<mailto:mgr@chcrc.com>]

Sent: Tuesday, September 27, 2016 11:16 AM

To: Deborah Tomlinson

Subject: Re: 10/05/16 PC Mtg - Jenna Corbin SPR Application

Hello,

No concerns for the Road Commission. Parcel is accessed by existing driveways.

Thank you,

Brent Shank

Engineer/Manager

Cheboygan County Road Commission

mgr@chcrc.com

(231) 238-7775

Deborah Tomlinson

From: Dave Carpenter <dpcarpenter@voyager.net>
Sent: Monday, October 03, 2016 1:10 PM
To: Deborah Tomlinson
Subject: Re: 10/05/16 PC Mtg - Jenna Corbin SPR Application

Hi Deb,

I don't see any major concerns in regards to the Fire Department.

If you have any questions please feel free to give me a call at my office.

Respectfully,

David Carpenter
Fire Chief

From: Deborah Tomlinson
Sent: Tuesday, September 27, 2016 9:53 AM
To: David Carpenter (dpcarpenter@voyager.net)
Subject: 10/05/16 PC Mtg - Jenna Corbin SPR Application

Hi Dave,

The following is a link to the site plan review application for Jenna Corbin: <http://is0.gaslightmedia.com/cheboygancounty/ ORIGINAL /fs18-1474983862-87953.pdf>. Would you please review this and let me know if you have any questions or comments?

Thanks!

Deb

Debbie Tomlinson
Cheboygan County
Community Development Department
PO Box 70, 870 South Main Street
Cheboygan, MI 49721
(231)627-8489 phone
(231)627-3646 fax
debbiet@cheboygancounty.net



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT 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/

STAFF REPORT

Item: Request for site plan review amendment for change of use to Office (service/health use).	Prepared by: Scott McNeil
Date: September 23, 2016	Expected Meeting Date: October 5, 2016

GENERAL INFORMATION

Applicant: Jenna Corbin

Contact person: Jenna Corbin

Phone: 231-420-1850

Requested Action: Approval of site plan review amendment for an exercise business (Office (service/health use) in the Village Center Indian River district pursuant to Section 13B.2.7.

BACKGROUND INFORMATION

Introduction:

The applicant is seeking site plan review amendment for a proposed exercise studio (Office (service/health use). The use is proposed on property formerly used as Auto, Boat and ATV Sales. A site plan for the former use was approved by the Planning Commission on August 17, 2011. At that time the subject was zoned Commercial Development (D-CM)

The subject site is located at 3491 S. Straits Highway and is zoned Indian River Village Center Overlay (VC-IR-O). Office is permitted use per Section 13B.2.7. Office is defined in the zoning ordinance as follows:

OFFICE (Rev. 09/28/11, Amendment #92)

The use of a building primarily for conducting the affairs of a business, profession, or service (excluding however any manufacturing or industrial uses) such as financial, legal, insurance, health, real estate, educational, social, and similar services.

The applicant proposes to conduct an exercise business where it was formerly used for office use and washing and detailing of cars, boats and ATV's for sale. I have added language to this effect in the proposed findings of fact.

This business is currently operating. This application is being brought to the Planning Commission as a result of enforcement.

Current Zoning:

Village Center Indian River Overlay. (VC-IR-O)

Surrounding Land Uses:

Commercial to the north, south and west. North Central State Trail to the east.

Environmentally Sensitive Areas (steep slopes, wetlands, woodlands, stream corridor, floodplain): There are no known environmentally sensitive areas on the subject site.

Historic buildings/features:

There are no historic buildings or historic features on this site.

Traffic Implications

This project will have minimal effect on current traffic conditions.

Parking:

Section 13B.4.1. relative to the Village Center Overlay District reads as follows:

13B.4.1. There shall be no parking requirements for those uses which are permitted by right or by special use permit in the VC-IR-O zoning district except residential uses, which shall comply with the following:

- a. One (1) off-street parking space shall be required for each dwelling unit.
- b. The required parking space(s) shall be provided on site or on leased land within 300 feet of the property.
- c. The required parking space(s) shall be maintained as long as each dwelling is occupied.

Access and street design: (secondary access, pedestrian access, sidewalks, residential buffer, ROW width, access to adjacent properties)

Access to the site is facilitated by two existing driveways to South Straits Hwy. The existing drives will not be changed. No new access drives are proposed.

Signs

Two wall signs are located on the building and proposed in conjunction with the application and site plan review. The wall signs meet the requirements of Section 17.19.8. regarding wall signs in the VC-IR-O district.

Fence/Hedge/Buffer

No new fence, hedge or other type of buffer is neither proposed nor required.

Lighting

Exterior lighting exists on the west, south and east sides of the existing building. No additional lighting is proposed.

Stormwater management

There are no changes proposed to the management of stormwater on the site.

Review or permits from other government entities:

Mr. Matt Cronk, Build Official has reviewed the subject relative to the building code.

Recommendations (proposed conditions) None.

CHEBOYGAN COUNTY PLANNING COMMISSION

SPECIAL USE PERMIT REQUEST

Wednesday, October 5, 2016, 7:00 PM

Applicant

Jenna Corbin
2441 Old School Rd.
Indian River , Mi. 49749

Owner

Mr. Cas Casucci
P.O. Box 250
Indian River , Mi. 49749

Parcel

3491 S. Straits Hwy.
Tuscarora Township
161-M55-033-010-00

GENERAL FINDINGS

1. The subject property is zoned Village Center Indian River Overlay. (VC-IR-O)
2. The applicant is seeking a site plan review amendment approval for a proposed exercise studio (Office (service/health use)).
3. Office is permitted use in the VC-IR-O district per Section 13B.2.7.
4. Office is defined in the zoning ordinance as follows: The use of a building primarily for conducting the affairs of a business, profession, or service (excluding however any manufacturing or industrial uses) such as financial, legal, insurance, health, real estate, educational, social, and similar services.
5. The subject parcel received site review approval for Auto Sales, Boat Sales and ATV Sales which is a permitted use per Section 6.2.2. on August 17, 2011.
6. The applicant is seeking a waiver to the site topographic survey requirement for site plans.
- 7.
- 8.

SPECIFIC FINDINGS OF FACT UNDER SECTION 20.10 OF THE ZONING ORDINANCE

The Planning Commission makes the following findings of fact as required by section 20.10 of the Zoning Ordinance for each of the following standards listed in that section:

- a. The site plan shall be designed so that there is a limited amount of change in the overall natural contours of the site and shall minimize reshaping in favor of designing the project to respect existing features of the site in relation to topography, the size and type of the lot, the character of adjoining property and the type and size of buildings. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.
 1. No changes to the overall contours of the site are proposed (see exhibit 3 and 4)
 - 2.
 3. Standard has been met.Or.
 - 1.
 2. Standard has not been met.
- b. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree and soil removal, and by topographic modifications which result in smooth natural appearing slopes as opposed to abrupt changes in grade between the project and adjacent areas.
 1. No trees are proposed to be removed. No topographic modifications are proposed. (see exhibit 3 and 4)
 - 2.
 3. Standard has been met.Or.
 - 1.
 2. Standard has not been met.

- c. Special attention shall be given to proper site drainage so that removal of storm waters will not adversely affect neighboring properties.
 - 1. No changes to site drainage are proposed. (see exhibit 3)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- d. The site plan shall provide reasonable, visual and sound privacy for all dwelling units located therein. Fences, walls, barriers and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.
 - 1. Not applicable. No dwelling units exist or are proposed.

- e. All buildings or groups of buildings should be so arranged as to permit emergency vehicle access by some practical means.
 - 1. A practical means for access by emergency vehicle is provided via access driveways from South Straits Highway and existing driveway on the site provide vehicle access to the rear of the structure. (see exhibit 7)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- f. Every structure or dwelling unit shall have access to a public street, walkway or other area dedicated to common use.
 - 1. The structure on the subject site has access to South Straits Highway. (see exhibit 3 and 4)
 - 2.
 - 3. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- g. For subdivision plats and subdivision condominiums, there shall be a pedestrian circulation system as approved by the Planning Commission.
 - 1. Not applicable. No subdivision plats or subdivision condominiums are proposed

- h. Exterior lighting shall be arranged as follows: a. It is deflected away from adjacent properties, b. It does not impede the vision of traffic along adjacent streets and c. It does not unnecessarily illuminate night skies.
 - 1. Existing exterior lighting is located on the existing building and shall be deflected away from adjacent properties and shall not impede vision of traffic and does not unnecessarily illuminate night skies. (see exhibit 3)
 - 2. No new exterior lighting is proposed (see exhibit 3)
 - 3.
 - 4. Standard has been met.Or.
 - 1.
 - 2. Standard has not been met.

- i. The arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets and pedestrian or bicycle pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way equal to that specified in the Master Plan.
 - 1. Not applicable . No public or common ways are proposed.

- j. Site plans shall conform to all applicable requirements of state and federal statutes and the Cheboygan County Master Plan, and approval may be conditioned on the applicant receiving necessary state and federal permits.
 - 1. The site plan conforms to applicable requirements of state and federal statutes and the Cheboygan County Master Plan. (see exhibit 1, 2, 3, and 4)
 - 2.
 - 3. Standard has been met
 Or.
 - 1.
 - 2. Standard has not been met.

DECISION

TIME PERIOD FOR JUDICIAL REVIEW

State law provides that a person having an interest affected by the zoning ordinance may appeal a decision of the Planning Commission to the Circuit Court. Pursuant to MCR 7.101 any appeal must be filed within twenty-one (21) days after this Decision and Order is adopted by the Planning Commission.

DATE DECISION AND ORDER ADOPTED

Wednesday, October 5, 2016

Patty Croft, Chairperson

Charles Freese, Secretary



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: September 23, 2016

To: Planning Commission

From: Scott McNeil, Planner

Re: Zoning Ordinance Amendment regarding Mobile Food Units

Included with this memo is the subject amendment dated September 22, 2016 with changes resulting from the most recent meeting as follows:

Language prohibiting use in a private road has been removed from Section 17.29.a.

Former section 17.29.c. relative to more than one mobile food unit on a lot has been removed.

I have also removed language from proposed section 17.29.c. which did not allow chairs or tables in the setback area for your consideration.

The remainder of the proposed amendment remains as previously submitted.

I will look forward to further discussion on this matter with the Planning Commission.

Please contact me with questions.

DRAFT 9/22/16
CHEBOYGAN COUNTY
Zoning Ordinance Amendment # _____

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE No. 200 TO PROVIDE DEFINITION, REGULATIONS AND STANDARDS FOR MOBILE FOOD UNITS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS

Section 1. Amendment of Section 2.2.

Section 2.2 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following new definition its appropriate alphabetical location, which new definition shall read in its entirety as follows:

Mobile Food Unit

A temporary establishment that is a vehicle-mounted food service designed to be readily movable without disassembly where food and beverages are served primarily for consumption off-premises and may have limited outdoor seating.

Vehicle

A means of conveyance for transporting people or goods from one place to another, such as an automobile, tractor or cart which can include an unpowered attachment that is pulled or pushed by the same.

Section 2. Amendment of Section 6.2.

Section 6.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 6.2.30. which shall read in its entirety as follows:

6.2.30. Mobile food units, subject to the requirements of Section 17.29.

Section 3. Amendment of Article 17.

Article 17 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add a new Section 17.29, which shall read in its entirety as follows:

Section 17.29. Mobile food unit.

A mobile food unit shall comply with the following regulations and standards:

- a. A mobile food unit shall not be placed within a right-of-way of any public road unless the government body with jurisdiction over the right-of-way of a public road consents in writing to such placement.
- b. A zoning permit shall be required for each location where a mobile food unit will be open for business to the public unless that location is part of a special event as approved by the local governmental unit with jurisdiction of that property. The zoning permit application shall include statements as to the days and hours of operation and shall indicate that all of the applicable regulations and standards of this section are met.
- c. All goods sold at a mobile food unit shall be food related and prepared within the mobile food unit.
- d. A mobile food unit shall meet applicable requirements of the Health Department.

- e. In addition to signage placed on the mobile food unit, a mobile food unit shall be allowed one (1) temporary accessory sign no greater than 8 square feet in sign surface area and no greater than three (3) feet in height displayed at the location of the mobile food unit. The sign shall be displayed only during times when food is being served from the mobile food unit. The temporary sign shall not be placed in a road right of way without the approval of the governing body with jurisdiction.
- f. No more than twelve (12) accessory chairs and no more than three (3) accessory tables may be placed out of doors on the lot.
- g. Each mobile food unit shall have a minimum of two (2) off street parking spaces if no accessory seating is offered or a minimum of three (3) off street parking spaces if accessory seating is offered. Parking spaces as required for the main use or uses of the lot shall be maintained in addition to those required for the mobile food unit. If parking space requirements for the property may be waived as permitted in other parts of this ordinance, then the required parking spaces for the mobile food unit may be waived in the same manner.
- h. A mobile food unit shall have a minimum of one (1) trash receptacle with a minimum capacity of thirty (30) gallons available for use by its customers. Trash shall be removed from the lot daily or more frequently as needed.
- i. A mobile food unit shall use available lighting at the lot. No additional lighting for the mobile food unit shall be allowed.
- j. A mobile food unit shall meet all setback requirements as would pertain to a structure greater than 150 square feet even if that mobile food unit is of a smaller size.

Section 4. 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 5. 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:
Peter Redmond
Its: Chairperson

By:
Mary Ellen Tryban
Its: Clerk



CHEBOYGAN COUNTY PLANNING & ZONING DEPARTMENT

870 S. MAIN ST., RM. 103 ■ PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8489 ■ FAX: (231)627-3646

To: Cheboygan County Planning Commission

From: Scott McNeil, Planner

Subject: Zoning Ordinance Amendment re: Restaurant, Convenience store and Vehicle repair use review.

Date: September 22, 2016

Included with this memo is the draft zoning ordinance amendment.

This zoning ordinance amendment is part of what will be a series of proposed amendments as recommended for future projects in the Master Plan's Zoning Plan, which is written as follows:

Refine for clarity the allowable uses in each district. Create a table of allowable uses within the ordinance. Create consistent terminology of permitted uses. List all permitted uses in each district rather than referencing allowable uses in other zoning districts.

This ordinance amendment is proposed as a result of the Planning Commission's review of the subject uses and the development of proposed definitions regarding the same. This draft amendment is the result of my review of existing use listings which can be replaced with new use listings as proposed to be defined. This draft amendment also proposes new use listings based on the development of the new use definitions proposed.

Sections 1 and 2 of the draft amendment document provides for the new and updated definitions along with deletion of Gasoline service station as developed during past meetings. Also note that a definition for Car wash also is provided for your first review as requested at the most recent meeting relative to the subject. Not included is the definition for Mobile food unit which is being considered in a separate amendment.

Section 3 rewrites section 6.2.4. relative to the Commercial Development (D-DM) zoning district to replace the current use listing of Automobile, boat, equipment, and farm machinery sales, repair, rental and washing establishments, with Automobile, boat, equipment and farm machinery sales and rental establishments. Repair uses are removed and will be covered under the new Motor vehicle repair facility use listing (see section 7 of the amendment document) and washing will be covered under the Carwash use listing (see section 4 of the amendment document).

Section 4 rewrites section 6.2.9. relative to the D-CM zoning district to replace the current listing of Drive in eating establishments, fast food establishments, and restaurants, with the new use listings of Restaurant, Restaurant, Carry out, Restaurant, Drive in and Restaurant, Fast food as proposed to be defined.

Section 5 provides for new permitted use listings for Car wash, Drive Through, and Retail Establishment, Small scale convenience as proposed to be defined in the Commercial Development (D-DM) district.

Section 6 rewrites section 6.2.3. relative to the D-CM zoning district to replace the current use listing of Bars and taverns, with Bars as proposed to be defined.

Section 7 rewrites section 6.3.4. relative to the D-CM zoning district to replace the current use listing of Gasoline service stations and garages with the new use listing of Motor vehicle service station and Motor vehicle repair facility as proposed to be defined as uses requiring a special use permit.

Section 8 rewrites section 9.3.2. relative to the Agriculture and Forestry Management (M-AF) district to replace the current use listing of Automobile repair and service and gasoline stations with the new use listing of Motor vehicle service station as proposed to be defined.

Section 9 rewrites section 9.3.8. relative to the M-AF zoning district to replace the current use listing of Grocery and party stores with the new use listing of Retail sales establishment, Small scale convenience as proposed to be defined.

Section 10 establishes a new use listing under new section 10.3.16. to allow Mobile food units as proposed to be defined in a separate amendment document as a use requiring a special use permit in the Lake and Stream Protection (P-LS) district.

Section 11 replaces the current use listing of Bars and Taverns with Bars as proposed to be defined in the Village Center (D-VC), Village Center Indian River (VC-IR), Village Center Indian River Overlay (VC-IR-O), Village Center Topinabee (VC-T), Village Center Topinabee Overlay (VC-T-O) districts.

Section 12 replaces the current use listing of Gasoline service stations and garages with Motor vehicle service station as proposed to be defined in the Village Center (D-VC), Village Center Indian River (VC-IR) and Village Center Topinabee (VC-T) districts.

Section 13 replaces the current use listing of Automobile repair and washing establishments with Motor vehicle repair and Car wash as proposed to be defined in the D-VC, VC-IR and VC-T zoning districts.

I will look forward to discussing this matter further with the Planning Commission. Please contact me with questions.

CHEBOYGAN COUNTY
ZONING ORDINANCE AMENDMENT # _____
AN ORDINANCE TO AMEND CHEBOYGAN COUNTY ZONING ORDINANCE NO.
200

Section 1. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to add the following definitions in their appropriate alphabetical location which shall read in their entirety as follows:

Bar

An establishment where alcoholic beverages are primarily served for consumption within a principal building on the premises, where food may also be served and consumed and where hours of operation extend beyond 11:00 PM on any day of the week. Dancing and entertainment where permitted may also take place at a bar. Food and beverages may be served outdoors on the premises as an accessory use.

Car wash

A commercial establishment with facilities provided for cleaning, drying and waxing of motor vehicles.

Drive-through

An establishment so developed that some portion of its retail or service character is dependent upon providing a driveway approach and staging area specifically designed for motor vehicles so as to serve patrons while in their motor vehicles, rather than within a building or structure, for carry out and consumption or use after the vehicle is removed from the premises.

Restaurant

An establishment where food and beverages, which may include alcoholic beverages, are served and consumed primarily within a principal building on the premises and where food sales constitute the primary source of the gross sales.

Restaurant, Carry out

An enterprise where food and beverages are served primarily for consumption off premises and may serve food to patrons via a Drive-through and/or via an adjoining parking lot. Carry out restaurants may have limited seating (no more than 15 seats) within a building or outdoors.

Restaurant, Drive in

An establishment where food and beverages are prepared in a principal building and served primarily to patrons in vehicles which are parked in an adjoining parking lot. A drive in restaurant may have limited outdoor seating (no more than 15 seats) and may also serve food and beverages for carry out.

Restaurant, Fast food

An establishment where food and beverages are served and consumed within a principal building on the premises and to patrons via a Drive-through. Food and beverages may be served outdoors on the premises as an accessory use.

Motor Vehicle Service Station

A facility primarily operated and designed for the dispensing, and sale of motor fuels, together with the sale of minor accessories and retail items. In addition, such a facility may provide minor motor vehicle servicing, minor repair and maintenance. Motor vehicle service station use does not include any of the following or similar activity: reconditioning of motor vehicles, collision services such as body and frame repair or overall painting of vehicles.

Motor Vehicle Repair Facility

An establishment for the repair of motor vehicles such as automobiles, boats, motor cycles, motor homes, recreational vehicles, tractors and motor vehicle equipment such as farm equipment and trailers. This shall include the sale, installation and servicing of motor vehicle and motor vehicle equipment parts including engine rebuilding. This may include specialty services such as service to brakes, mufflers, tires, body and frame repair and collision repair services including vehicle painting.

Retail sales establishment, Small-scale convenience

A small-scale retail use (5000 square feet or less) that may offer for sale beverages and food items for consumption off the premises, retail items, tangible consumer goods and motor fuels.

Section 2. Amendment of Section 2.2.

Section 2.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to delete the following definition:

Gasoline service station

Section 3. Amendment of Section 6.2.9

Section 6.2.4. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

6.2.4. Automobile, boat, equipment and farm machinery sales and rental establishments

Section 4. Amendment of Section 6.2.9

Section 6.2.9. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

6.2.9 Restaurant, Restaurant, Carry out, Restaurant, Drive in and Restaurant, Fast food.

Section 5. Amendment of Section 6.2.

Section 6.2. of the Cheboygan County Zoning Ordinance No. 200 amended to add the following sections 6.2.30., 6.2.31. and 6.2.32 which shall read in their entirety as follows:

6.2.30. Car wash

6.2.31 Drive through

6.2.32. Retail sales establishment, Small scale convenience.

Section 6. Amendment of Sections 6.2.3 9.3.5 and 10.3.15.

Sections 6.2.3. 9.3.5. and 10.3.14 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

6.2.3 Bars, 9.3.5. Bars, 10.3.14. Bars

Section 7. Amendment of Section 6.3.4.

Section 6.3.4. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

6.3.4. Motor vehicle service station and Motor vehicle repair facility

Section 8. Amendment of Section 9.3.2.

Section 9.3.2. of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

9.3.2. Motor vehicle service station

Section 9. Amendment of Section 9.3.8

Section 9.3.8 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to the read in its entirety as follows:

9.3.8 Retail sales establishment, Small scale convenience.

Section 10. Amendment of Section 10.3.

Section 10.3. of the Cheboygan County Zoning Ordinance No. 200 amended to add the following section 10.3.16. which shall read in its entirety as follows:

10.3.16. Mobile food units.

Section 11. Amendment of Sections 13.2.2., 13A.2.4., 13B.2.2., 13C.2.4., and 13D.2.1.

Sections 13.2.2., 13A.2.4., 13B.2.2., 13C.2.4., and 13D.2.1 of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

13.2.2 Bars, 13A.2.4. Bars, 13B.2.2. Bars, 13C.2.4. Bars, 13D.2.1. Bars,

Section 12. Amendment of Section 13.3.1., 13A.3.5., 13C.3.7.,

Sections 13.3.1., 13A.5. and 13C.3.7. of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

13.3.1. Motor vehicle service station, 13A.3.5. Motor vehicle service station, 13C.3.7. Motor vehicle service station

Section 13. Amendment of Sections 13.3.5., 13A.3.2

Section 13.3.5., 13A.3.2. and of the Cheboygan County Zoning Ordinance No. 200 are hereby amended to read in their entirety as follows:

13.3.5. Motor vehicle repair and Car wash, 13A.3.2. Motor vehicle repair and Car wash, 13C.3.2. Motor vehicle repair and Car wash.

Section 14. 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 15. 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:

Peter Redmond
Its: Chairperson

By:

Mary Ellen Tryban
Its: Clerk



CHEBOYGAN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

CHEBOYGAN COUNTY BUILDING ■ 870 S. MAIN STREET, PO BOX 70 ■ CHEBOYGAN, MI 49721
PHONE: (231)627-8485 ■ FAX: (231)627-3646
www.cheboygancounty.net/planning/

Date: September 20, 2016

To: Planning Commissioners

From: Scott McNeil

Re: Use terminology review.

Listed below are use categories which have different and related use listings based on my review of the Table of Uses which remain to be addressed.

I would like direction from the Planning Commission on which use categories should be addressed next. The Planning Commission decided earlier that two could be address at a time.

Campgrounds
Clubs/Assembly Halls
Commercial Farms
Commercial Recreation/Outdoor Recreation
Convalescent Homes
Contractors Yard
Essential uses
Farm Markets
Gas Stations/Party Stores
Green Houses/Nurseries
Institutional uses (Churches, Schools, Municipal)
Retail
Single family, Two family, Multi-family
Tourist/Travel Lodging (cabins, hotel, motel, lodging houses – define transient etc.)

Attached is a copy of the use terminology review work plan for your convenience.
Please do not hesitate to contact me with questions or comments.