



# City of Boyne City

Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712

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**AGENDA**  
**BOYNE CITY PLANNING COMMISSION**  
**SPECIAL MEETING**  
Monday July 16, 2018 5:45 p.m.  
Boyne City Hall



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1. Call to Order
2. Roll Call - Excused Absences
3. Consent Agenda

*The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be acted upon by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed to be addressed immediately following action on the remaining consent agenda items. Such requests will be respected.*

Approval of minutes from the June 18, 2018 Boyne City Planning Commission meetings.

4. Hearing Citizens Present (Non-Agenda Items)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business
7. New Business
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting August 20, 2018

*Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 319 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334*

**Meeting of  
June 18, 2018**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 319 North Lake Street, on Monday June 18, 2018 at 5:00 pm.

**Call to Order**

Chair Frasz called the meeting to order at 5:00 p.m.

**Roll Call**

Present: Ken Allen, Jason Biskner, George Ellwanger, Chris Frasz, Jim Kozlowski, Tom Neidhamer and Jeff Ross  
Absent: Aaron Place and Joe St. Dennis

**Excused Absences  
\*\*Motion**

**2018-06-18-02**  
**Neidhamer moved, Biskner seconded, PASSED UNANIMOUSLY**, a motion to excuse the absence of Place and St. Dennis.

**Meeting Attendance**

City Officials/Staff: Planning and Zoning Administrator Scott McPherson and Recording Secretary Pat Haver

Public Present: 6

**Consent Agenda  
\*\*Motion**

**2018-06-18-03**  
**Allen moved, Ross seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda, the Planning Commission minutes from May 21, 2018 as presented.

**Citizen comments on  
Non-Agenda Items**

None

**Reports of Officers,  
Boards and Standing  
Committees**

None

**Unfinished Business**

None

**New Business**

**Public Hearing  
402 State Street  
conditional zoning  
application**

Planning Director McPherson reviewed his staff report included in the agenda packet. Ron Mills and his son Kyle, from Mills Financial, has submitted a conditional rezoning offer for the property at 402 State Street, 15-051-250-019-00, which is currently owned by Christopher Kinner. They are requesting to have the parcel rezoned from Traditional Residential District (TRD) to Professional Office District (POD). The offer along with sketch proposals were also attached in the agenda packet. They are looking at purchasing the property in order to rehab the existing 20' x 28' foot structure into a small working office for their financial services. On any given day, there will only be 2 vehicles in the proposed parking lot with the exception of when a client visits. They are proposing putting on a metal roof, painting the outside of the building, installing new windows, a handicapped ramp, and parking lot. The subject parcel has been vacant for several years and previously used for a nonconforming commercial use that was abandoned many years ago.

**Ron Mills - Mills Financial:** Reviewed with the board his submitted proposal, outlining the changes that they would like to make. McPherson reiterated that if the City Commission approved the recommended zoning change, a site plan review must come back before this board, specifically outlining proposed building upgrades, parking, lighting, landscaping, etc. Their proposal must meet all zoning requirements for them to move forward.

Public Hearing opened at 5:09 pm

**Lindsay Adams - neighbor:** submitted written comments, which he reviewed during the meeting. He is happy that someone is proposing a use of the property, however, he has concerns about heavy rain and run-off coming down the sidewalks and Jefferson St. If there were to be paved parking in the “back of the building” how would that help with the runoff and ongoing damage to neighboring properties? His second concern would be that a fence or landscaping be installed to separate the business from the neighborhood.

**Nick Follette - neighbor:** He is also concerned about continued or increased run off, and what will be done to mitigate that any further. One of the neighbors has had to put a lot of money into landscaping in order to protect her property. There is not a storm sewer in the area to help with this problem. His second concern was that if this parcel is rezoned, what will keep the other parcels in the neighborhood that are for sale from being converted to businesses also, and the additional traffic that it will cause in this neighborhood.

With no further comments, the public hearing was closed at 5:16 pm

#### Board Discussion

Chair Frasz facilitated discussion from the board while reviewing Section 2.50 Amendment Criteria, specifically subsection C. The board felt that the POD zoning district was the most appropriate for this request. They had concerns about possible traffic and environmental impact, would this create spot zoning, were other locations available to purchase and work from, perhaps downtown? They were happy that someone was willing to purchase this vacant building and rehab into a working professional office, their concerns for building, lighting, landscaping, parking and signage will all have to be reviewed by this board during the site plan review process. With some questions brought up from the board, maybe a review of the current Master Plan should be undertaken.

#### **\*\*Motion**

After board discussion, **motion by Ross, seconded by Ellwanger** to recommend to the City Commission approval of the rezoning request of Mills Financial, for this parcel to Professional Office District (POD)

Roll Call:

**2018-06-18 7A**

Ayes: Biskner, Ellwanger, Frasz, Neidhamer and Ross

Nays: Allen and Kozlowski

Absent: Place and St. Dennis

Abstain: None

Motion Carries

#### **Accessory Dwelling Unit and Duplex SUP requirements discussion**

Planning Director McPherson reviewed his report that was included in the agenda packet. Due to the multiple discussions of the lack of affordable housing options in the City and the region, this topic is being brought before the commission as initial discussion to explore the pros and cons of the current zoning requirements. Are there any zoning or land use barriers that would impede the development of housing that could be removed or changed. As a first step this board will be looking into Accessory Apartments and Duplex Requirements in the different zoning districts. Accessory structures are referred to as granny flats, could be a separate or independent apartment for the use as a secondary residence on the property. There must be an existing home and it does not matter which unit is occupied by the property owner. If the Accessory

Apartment is separate, it must have a minimum setback of 10 feet from the rear or side lot lines. A two family dwelling is a single structure on the property with (2) separate living spaces often referred to as a duplex. This structure must also meet the minimum dwelling requirements for each unit in the district and must meet design standards of a single family dwelling. Depending on the zoning district, a duplex is a conditional use in the Transitional Residential District (TRD) which would require approval by the Planning Commission and is a principle permitted use in the Multifamily District and can be permitted by the zoning administrator. The board discussed the various pros and cons of both structures in all of the zoning districts and had concerns that if the requirement of commission oversight and review were taken away, the neighbors would not have an opportunity to express their opinions for the possible developments of these types of housing. They had concerns about the lack of affordable housing, how can things be made easier, but were also concerned about the neighbors not having an opportunity to express their opinions. Although the final decision comes from this board, they wished to continue to have the opportunity to hear comments from all parties in order to make an informed decision. At this point in time, the board felt that it was best to leave the requirements of zoning as they currently are and take no action.

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### Staff Report

- The consultant for the parking study will be here the last week of June and should be wrapped up in early July. Looking primarily at parking in the downtown areas, but will also look at the boat launch and other areas. There will be an opportunity for the stakeholders to meet and give input.
  - The community survey form was included in the packet and was highly encouraged to use the on-line forms. An event is scheduled for July 16<sup>th</sup> and all are encouraged to attend.
  - The new aerial imagery was shown. Lidar data is included that is laser imaging of the earth's surface that picks up elevation data, giving staff a lot of new tools and layers in order to work with.
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### Good of the Order

- Jason Biskner wanted to let the board know that while he is still currently working at the resort, his duties have changed to include real estate. He indicated that if a conflict were to occur he will step aside for that particular occasion.
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The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, July 16, 2018 at 5:00 p.m.

### Adjournment

#### \*\*Motion

**2018-06-18-10**

**Neidhamer moved, PASSED UNANIMOUSLY** a motion to adjourn the June 18, 2018 meeting at 6:49 p.m.

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Chair Chris Frasz

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Recording Secretary Pat Haver