



# City of Boyne City

Founded 1856

319 N. Lake Street

Boyne City, Michigan 49712  
[www.cityofboynecity.com](http://www.cityofboynecity.com)

Phone 231-582-6597  
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## AGENDA

### BOYNE CITY PLANNING COMMISSION

Monday September 19, 2016, 5:00 p.m.  
Boyne City Hall



Scan QR code or go to  
[www.cityofboynecity.com](http://www.cityofboynecity.com)

click on Boards & Commissions for complete  
agenda packets & minutes for each board

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 August 15, 2016, Boyne City Planning Commission meeting.
4. Hearing Citizens Present (Non-Agenda Items)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business
7. New Business
  - A. 600 Jefferson Street Rezoning Request Public Hearing
  - B. Boyne District Library Development Plan Amendment for Building Addition
  - C. Pre-application meeting for Marcella Hill alley vacation request
  - D. Marvin Loding Award Nominations
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting October 17, 2016

*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, 364 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334*

**Meeting of  
August 15, 2016**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday August 15, 2016 at 5:00 pm.

**Call to Order**

Vice Chair Frasz called the meeting to order at 5:01 p.m.

**Roll Call**

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

**Excused Absence(s)**

**\*\*MOTION**

**2016-08-15-02**

**St. Dennis moved, Place seconded, PASSED UNANIMOUSLY**, a motion to excuse the absence(s) of Jason Biskner and George Ellwanger

**Meeting Attendance**

City Officials/Staff: Assistant Planning and Zoning Administrator Patrick Kilkenny and Recording Secretary Pat Haver  
Public Present: None

**Consent Agenda**

**\*\*MOTION**

**2016-08-15-03**

**Neidhamer moved, Allen seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda; approval of the Planning Commission minutes from July 18, 2016 as presented.

**Citizen comments on  
Non-Agenda Items  
Reports of Officers, Boards  
and Standing Committees  
Unfinished Business**

None

None

**New Business**

**Group Child Care Homes -  
Zoning Ordinance  
Requirements and  
associated discussion**

Assistant Planning Director Kilkenny reviewed the staff report that was included in the agenda packet. In the past few months, staff has been approached a couple of times with applications for a group child care home. Although group child care homes are an allowed conditional use per the ordinance, the applications had to be disapproved due to the inability to meet the lot area requirement of 20,000 sq ft minimum. The vast majority of residentially zoned lots in the city are less than 20,000 sq ft so the ability to provide group child care homes is limited. During recent goal setting sessions, affordable housing, child care and the lack of availability in our area were concerns not only for potential employees, but for the employers as well. After the denials, staff began researching requirements for surrounding communities and the state, and brought before the board that information for discussion. The board felt that the requirement for 20,000 sq ft lot minimum was excessive and because this was a conditional use in the districts, the board would be looking at each of the applications individually. Of concern to the board was the potential of additional traffic, trash pickup noise, school bus traffic, is the use harmonious to the neighbors with various day care objects in the yards for the neighbors to look at or passing traffic, fencing requirements and the potential of a commercial venture in a neighborhood because of a home occupation, that is supposed to be non-intrusive. The board was in agreement that this is a necessary service and has tasked staff to continue to research and draw up a draft language with some potential requirements for review.

**Potential zoning ordinance amendment discussion**

**Article XXIV Parking, Loading and Access Management Requirements**

Throughout recent reviews of the Boyne City Zoning Ordinance (BCZO), Staff noted several sections that may require amendments to clarify intent. Recent discussions stemming from site plan reviews, zoning permit requests, and general ordinance review have brought a couple topics of potential amendments to the attention of Staff. Three current areas are Article XXIV Parking, loading and access management requirements, Section 21.36 Accessory Buildings and Structures and the Sign Ordinance – Article V – Permitted Signs. The board began discussion on Section 24.30 minimum number of spaces required. This topic had been previously discussed by the Planning Commission due to the fact that the current ordinance requirements are based on max or peak usage as opposed to conventional day to day. Why do we want to plan parking for a very short period of time? Another question that arose when discussing parking in the CBD is how to regulate changes in use for existing businesses. We currently do not have anything in place to review parking requirements for an existing business that closes and another business taking its place, even if the uses are completely different. During new development, it is held to ordinance standards when proposing a specific use in the same district. The ordinance does have tools for the Planning Commission to reduce parking requirements in the CBD, however more simplified parking requirements may be advantageous to developers and will also help the commission from having to consider granting relief to projects that would require additional parking. The board felt that there was a lot of parking available within 2 to 3 blocks from the core downtown. The city has promoted itself as a “walk able” community and feels that for the short period of time that parking is an issue, it is not worth requiring new developments to adhere to the strict requirements. Staff has been tasked with reviewing what was previously proposed by the planning commission in reference to reducing the parking requirements, which was believed to be a 20% reduction across the board and bring back to the commission at an upcoming meeting for additional discussion.

Vice Chair Frasz left the meeting at 6:30 pm and turned it over to Chair MacKenzie

**Section 21.36 Accessory Buildings and Structures**

The second item for discussion is Accessory buildings and structures. Subsection (A) General Standards (4) states: An accessory building shall not exceed twenty feet in height and may not occupy more than the ground floor area of the principal building. This requirement is interpreted the same in all residential districts and may not be appropriate for the Rural Estate District (RED). Generally the RED lots are larger size than the TRD and would be able to accommodate a larger accessory structure than the ground floor area of the principal building. Some of the RED lots are over 5 acres and to limit the size of a detached accessory building seems inappropriate for the possible size of the lot. Staff has been directed to review the requirements and bring back recommendations to a future meeting for additional discussion.

**Sign Ordinance Article V Permitted signs**

The last item for discussion tonight is the Sign Ordinance Article V – Permitted Signs. This request is being brought back for additional discussion due to concerns about the amount of window coverage on some business signs. In the past, total window surfaces have been covered almost completely by some type of signage; whether it was vinyl lettering, manufacturing posters, clothing, LED signs or any other type of advertising. In the surrounding communities Petoskey allows up to 20% of the total window space, Charlevoix allows up to 25% of a single pane, whereas Boyne City allows up to 50% of total window space. This means that if you have windows on 4 sides of your building, and two sides face an alley or other structure, you would be allowed to place all of your signage on the two available

sides, no matter how much window space there is or how covered/cluttered it would be. Enforcement would be difficult as no permits are required for 50% coverage or less. Staff provided the board with various pictures of current signs, and it was noted that approximately half of the samples would be in violation of our current sign ordinance; however, would be able to remain as they would be "grandfathered" in as the signs were placed prior to the establishment of the current ordinance. There was not a consensus from the board that it was a large problem, and would like to revisit the issue in a year, so there will be no changes at this time, perhaps staff could reach out to the Chamber Director for some input.

**Staff Report**

- The Cedar Street applicant pulled their application for an accessory building
- Ted Macksey will probably come before this board in the future for a re-zoning request for the property up on Jefferson St.
- Safe Routes to Schools some of the homeowners along the various new sidewalks thought there was going to be an additional meeting prior to the installation of the walks

**Good of the Order**

- The City will be applying for a Great Lakes Fishery Trust "Access to the Great Lakes Fishery" grant for up to 50% of the cost for the 190 ft. fishing dock that is to be constructed along the Catt Development Project on Water Street. The developer will be responsible to cover the remaining 50%. This dock, when completed, will be open to the public and should provide some additional fishing areas.
- The newly finished first phase of the bike trail from Boyne City to Charlevoix is completed and open up to just outside Bay Township. Coming into town, there is a gap at W. Michigan that should be upgraded soon.

**Adjournment**

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, September 19, 2016 at 5:00 pm in the Honeywell Meeting Room.

**\*\*MOTION**

**2016-08-15-10**

**St. Dennis moved, Place seconded, PASSED UNANIMOUSLY** a motion to adjourn the August 15, 2016 meeting at 7:36 p.m.

\_\_\_\_\_  
Chair Jane MacKenzie

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Vice Chair Chris Frasz

\_\_\_\_\_  
Pat Haver, Recording Secretary

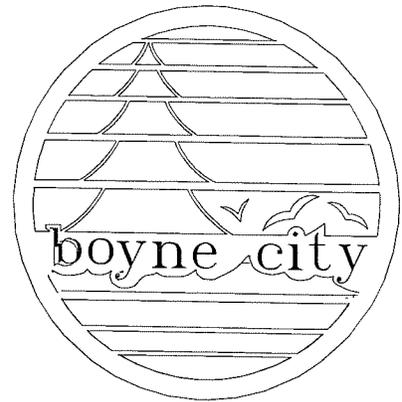
## CITY OF BOYNE CITY

**To:** Chair Jane MacKenzie and fellow Planning Commissioners

**From:** Scott McPherson, Planning Director

**Date:** September 19, 2016

**Subject:** Macksey Rezoning Application Public Hearing



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### Background

A rezoning application has been submitted by Ted Macksey to rezone parcels 15-051-026-005-00 and 15-051-026-004-15 from Rural Estate District (RED) to Multiple Family Residential District (MFRD). The parcels are located at 600 Jefferson Street. Parcel 026-005-00 is approximately 20 acres with 660' of frontage on Jefferson Street and measures 1,300 feet deep. Parcel 026-004-15 which is adjacent to the east of 026-005-00 is approximately 10 acres and measure 660ft x 660ft. The properties to the north are in Evangeline Township and are zoned Rural Residential and being used for single family dwellings. The property to the East is in the City of Boyne City and zoned RED and being used for a church. To the South of the property properties are zoned RED being used for single family dwellings and conditionally zoned MFRD being used for group senior and assisted living. The properties to the West are zoned Traditional Residential District (TRD) and is being used for single family dwellings. Public sewer and water are located adjacent to the subject property on Jefferson Street. The subject parcel is currently vacant, with majority of the parcel covered with mature forest. On the eastern quarter of the property there is a significant slope and an elevation change of over 40 feet.

### Discussion

Given the size and location of the subject parcels the rezoning requests presents a unique opportunity to the City. The 30 acre tract is one of the few undeveloped large pieces of land left if the City limits and its proximity to city water and sewer make it more cost effective for development. The master plan future land use map designates the property as Residential Open Space. While this designation would be inconsistent with the current zoning request, the Planning Commission should keep in mind that the master plan is intended to serve as a guide that should be used to help determine land uses and development policies that affect the community's physical development. It defines general planning goals, policies and action plans that provide a philosophical base for use by the Planning Commission as it guides future growth and land use in Boyne City. Because it is a guide, master plan is not intended to be rigidly administered. Changing conditions in the community may affect the goals and philosophy established when the plan was originally developed.

Housing has been a topic of much discussion over the past months and has been identified and adopted as a goal of the City Commission and providing housing opportunities for all is listed as a goal in the 2015 Boyne City Master Plan.

While the applicant has previously discussed potential future uses of the property with the Planning Commission (minutes of that meeting are attached) and indicated that it was his intention to provide a mix of multi-family dwellings, the Planning Commission needs to keep in mind all of the potential uses that could occur in the proposed district. In the MFRD the principle permitted uses and the allowed conditional uses are as follows:

**Section 6.20 Principal Permitted Uses.**

*No building or land shall be used and no building shall be erected except for one (1) or more of the following specified uses, unless otherwise provided in this Ordinance.*

- A. *Single and two family dwellings.*
- B. *Multiple family dwellings, including, but not limited to, apartments, apartment houses, townhouses, terraces, efficiency units, and right-of-way houses.*
- C. *Public, parochial and private schools including nursery schools; churches, temples, and similar places of worship with a maximum capacity of five-hundred (500) worshipers; libraries; and community buildings.*
- D. *Municipal parks, playgrounds, and recreation centers.*
- E. *Home occupations in which customers or patrons do not visit the site for the delivery of goods and/or services.*
- F. *Accessory structures and uses customarily incidental to the above permitted uses.*

**Section 6.30 Conditional Uses.**

*The following uses shall be considered conditional and shall require conditional use approval, and shall comply with any applicable conditional use requirements of Article XXV:*

- A. *Hospitals, convalescent and nursing homes, and funeral homes. (amended: October 24, 2007)*
- B. *Private recreation areas, uses and facilities including country clubs, marinas, golf courses and swimming pools subject to the following:*
  - 1. *No building shall be located within one-hundred (100) feet of a dwelling.*
  - 2. *Facilities such as licensed restaurants and bars may be permitted when occupying an integral part of the main structure provided there is no exterior display or advertising of said facilities.*
  - 3. *Golf fairways, swimming pools, tennis courts, boat docks, and similar uses shall be located not less than thirty-five (35) feet from any property line and shall comply with the requirements of this Ordinance.*
- C. *Adult foster care group homes and congregate facilities.*
- D. *Tourist homes, boarding houses, rooming houses, lodging houses, and bed and breakfast inns.*
- E. *Home occupations in which customers or patrons visit the site for the delivery of goods and/or services.*
- F. *Public utility transformer stations, substations and gas regulator stations without service or storage yards shall comply with the requirements of this Ordinance and shall be subject to the following: a front yard setback of not less than fifty (50) feet shall be provided (irrespective of the yard requirement of the district in which it is located) and two (2) side yards and a rear yard shall be provided, each shall not be less than twenty-five (25) feet in width. The previously mentioned conditional uses shall be landscaped with a buffer of plant materials that effectively screens the view of the use from property used for residences, public walkways and rights-of-way. The standard buffer shall consist of a landscaped strip at least six feet (6) wide outside the perimeter of the compound. The buffer shall contain a variety of species of plants.*

## Process

In accordance with the Michigan Zoning Enabling Act and the Boyne City Zoning Ordinance Section 2.40 Amendment Procedures, a public hearing was scheduled for the Planning Commission on September 19, 2016. The Commission should review the proposed amendment and use the amendment criteria as listed in section 2.50(C) of the zoning ordinance as a guide in making their decision on the proposed amendment. Section 2.50 (C) is as follows:

### Section 2.50 Amendment Criteria.

- C. For amendment requests to change, create, extend or reduce a mapped zoning district, the Planning Commission and City Commission shall use the following as a guide:
1. The proposed zoning district is more appropriate than any other zoning district, or more appropriate than adding the desired use as a conditional land use in the existing zoning district.
  2. The property cannot be reasonably used as zoned, and the applicant cannot receive a reasonable return on investment through developing the property with one (1) of the uses permitted under current zoning at the time of purchase or at the time of securing legal control of the property.<sup>3</sup> The proposed zone change is supported by and consistent with the goals, policies and future land use map of the adopted City Comprehensive Plan, including any sub-area or corridor studies. If conditions have changed since the Comprehensive Plan was adopted, as determined by the Planning Commission, the consistency with recent development trends in the area shall be considered.
  4. The proposed zone change is compatible with the established land use pattern, surrounding uses, and surrounding zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values, and is consistent with the needs of the community.
  5. All the potential uses allowed in the proposed zoning district are compatible with the site's physical, geological, hydrological and other environmental features.
  6. The change would not severely impact traffic, public facilities, utilities, and the natural characteristics of the area, or significantly change population density, and would not compromise the health, safety, and welfare of the City. The Planning Commission may require a general impact assessment in accordance with the requirements of this Ordinance if it determines the proposed zoning change could have a negative impact upon traffic, public facilities, utilities, natural characteristics, populations density, or other concerns. A traffic impact study in accordance with the requirements of this Ordinance shall be required if the proposed rezoning district permits uses that could generate one hundred (100) or more directional trips during the peak hour, or at least one thousand (1,000) trips per day more than the majority of the uses that could be developed under current zoning.

7. The rezoning would constitute and create an isolated and unplanned spot zone granting a special privilege to one landowner not available to others.
  8. The change of present district boundaries is consistent in relation to existing uses, and construction on the site will be able to meet the dimensional regulations for the proposed zoning district listed in the Schedule of Regulations.
  9. There has been a change of conditions in the area supporting the proposed rezoning.
  10. Adequate sites are neither properly zoned nor available elsewhere to accommodate the proposed uses permitted in the requested zoning district.
  11. There was a mistake in the original zoning classification.
  12. The request has not previously been submitted within the past one (1) year, unless conditions have changed or new information has been provided.
- D. Any amendment for the purpose of conforming to a decree of a court of competent jurisdiction shall be adopted by the City Commission and published, without necessity of a public hearing or referral thereof to any other board or agency.

### **Recommendation**

The Planning Commission should review the requirements of section 2.50(C) and determine if the proposed meets any of the criteria for an amendment to the Ordinance and make a recommendation to the City Commission.



City of Boyne City  
Planning Commission  
Rezoning Public Hearing  
Pacels 15-051-026-005-00 &  
15-051-026-004-15



0 125 250 500 Feet

- Legend**
- Fire Hydrants
  - Water Main
  - Sanitary Sewers
  - BCStormLines\_101515
  - Outlet
  - Bee Hive Catch Basin
  - Catch Basin
  - Storm Manhole

Parcel 15-051-026-005-00

Parcel 15-051-026-004-15

642

644

646

648

652

676

680

690

Collins

Jefferson

Arthur

- Promote Boyne City as a waterfront Trail Town.
- Establish, expand and maintain the trail networks, both within Boyne City and connections to regional trail systems, including water trails.
- Celebrate year-round use of recreation facilities and trails. Coordinate maintenance activities to promote winter use.
- Establish more recreational activities and opportunities for area youth.

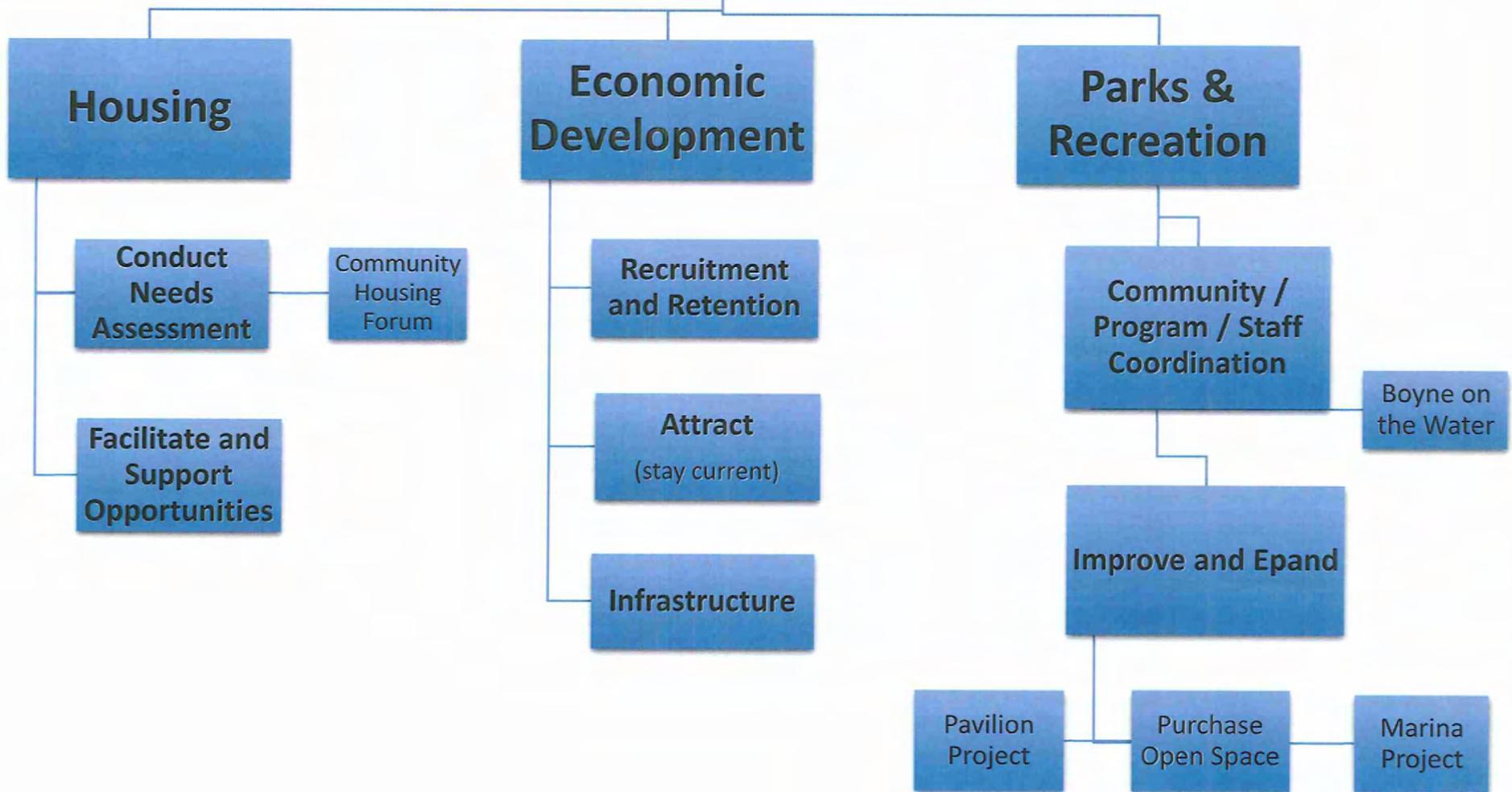


### **Goal 3:** ***Housing opportunities for ALL!***

#### **Supporting Objectives:**

- Recognize the changing demographics, and explore options to address the shifting housing demands, such as downtown housing opportunities, accessory dwelling units, townhouses, apartments, etc.
- Review the types of housing available to identify any gaps and opportunities.
- Encourage affordable and workforce housing in mixed use developments downtown, such as explore the conversion of underutilized properties to affordable housing.
- Identify affordable housing obstacles and work to address.
- Encourage housing which includes accessibility features for all, to facilitate aging in place.

# 2016 City-wide Goals



**Meeting of  
May 16, 2016**

Record of the proceedings of the Boyne City Planning Commission regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday, May 16, 2016 at 5:00 pm.

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**Call to Order**

Vice Chair Frasz called the meeting to order at 5:01 p.m.

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**Roll Call**

Present: Ken Allen, George Ellwanger, Chris Frasz, Jim Kozlowski, Tom Neidhamer, and Joe St. Dennis

Absent: Jason Biskner, Jane MacKenzie and Aaron Place (Arrived at 5:20 pm)

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**Excused Absence(s)**

**\*\*MOTION**

**2016-05-16-02**

**St. Dennis moved, Ellwanger seconded, PASSED UNANIMOUSLY**, a motion to excuse the absence(s) of Jason Biskner and Jane MacKenzie

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**Meeting Attendance**

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

Public Present: Five

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**Consent Agenda**

**\*\*MOTION**

**2016-05-16-03**

**Neidhamer moved, Ellwanger seconded, PASSED UNANIMOUSLY**, a motion to approve the consent agenda; approval of the Planning Commission minutes from April 18, 2016 as presented.

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**Citizen comments on  
Non-Agenda Items**

None

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

None

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**Unfinished Business**

None

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**Addition to the Agenda**

Planning Director McPherson asked to have an item added to the agenda. The terms of Planning Commission members Ken Allen, Aaron Place, and Joe St. Dennis expire at the end of this month. A recommendation from this board will need to be taken to the City Commission.

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**New Business**

**Stephanie Moody Road  
Vacation Request**

Planning Director McPherson reviewed the staff report that was included in the agenda packet. The applicant is requesting to have the south portion of Willow Street located in the Caldwell's Addition between lots 11 and 12 and lot 3 be vacated. This portion of the street is 66 feet wide and 132 feet in length and is the only remaining portion of the street that has not been vacated. While the street is undeveloped and does not have any utilities located in it, the house at 100 W. Court Street does encroach significantly into the right of way, which occurred during renovations in 1991. They are attempting to sell this house, and it would make it difficult to obtain a mortgage. The matter was discussed with the Police and Fire Chiefs, Water Wastewater and DPW Superintendents all of whom do not see or have any concerns with this request, however, discussed obtaining an easement to maintain an existing water and sewer main line that runs on the south east corner and eastern portion of lot 3. The city and staff agree that there is no use for this section of the road, as a portion had been vacated previously and not sure why this section was not done at the same time.

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Public Comment opened at 5:06 pm

**Marty Moody, real estate agent and brother of the applicant** – We honestly did not know that this portion of the road had not been vacated. There is a line of trees between the two properties, which we thought was the property line. We were not aware of the encroachment until recently, when Court Street was surveyed and paved.

Public Comments closed at 5:12 pm  
Board Discussion

**Kozlowski** – Discussed property lines and easements and whether the land above would be land locked if the street stub were closed.

**McPherson** – No the property would not be landlocked, the property above is Hawkridge and there is another way to enter. Easements for utilities are pretty common and this is an opportunity to request an easement for the existing utilities. Board members are in favor of granting the vacation based on the facts discussed, and with the homeowner’s willingness to grant a 10 ft. easement to maintain the existing water and sewer lines that service the Hawkridge Development.

With no further board discussion, **motion by Ellwanger, seconded by St. Dennis** to recommend the south portion of Willow Street be vacated with the contingency that a 10 ft. utility easement be obtained to maintain the existing water and sewer lines that run along the eastern side of the property

**\*\*MOTION**

**2016-5-16-7A**

**Roll Call:**

Aye: Allen, Ellwanger, Frasz, Kozlowski, Neidhamer and St. Dennis

Nay: None

Absent: Biskner and MacKenzie

Abstain: Place (arrived just prior to the vote, was not involved in discussion)

**Motion Carries**

**Ted Macksey pre-application meeting – residential development options**

The applicant gave a brief overview of his experience and the state of single family dwelling challenges. He is in the final stages of purchasing 30 acres in town off of Jefferson St, which also has a 66 ft easement from Vogel Street just west of the current location of the Brook. He is before the board to discuss options of changing the zoning to allow for multi-family/higher density dwellings. There is a severe lack of “working man housing” and this development could fill that need. The developer is looking at the cost of building units and what he anticipates from rents somewhere in the area of \$750.00 to \$1,000.00 per month/per unit. It will have curb and gutter, sidewalks, street lights, be 1, 2, and 3 bedroom units all with private entries. As he sees the progress now, they will be 8 plex units with 2 stories up and down. There would be garages for some of the units and car ports for others. With board discussion, they agree that there is a need for this type of housing, wondered about subsidized or non – subsidized housing had concerns about surrounding property values falling, and the applicant talked about buffering surrounding properties. Questions about who would maintain the streets and what standards must be met. It is the Planning Commissioners job to focus on the rezoning of the property if the developer decided to move forward and bring back his development site plans to this board to review.

**Presentation from Claire Karner of LIAA on**

Claire Karner, Community Planner with LIAA presented findings to the board from

**Shoreline Protection Recommendations**

a steering committee that was set up a couple of years ago from the 10 surrounding communities around the area of Lake Charlevoix. The intent was to look at all of the Zoning Ordinances from the various communities to see if there were any amendments that could be recommended to assist in further protecting the water quality and shoreline. There were a few areas of the City's ordinance they were looking at that were already being implemented such as the recognition of the ordinary high water mark of 582.4 ft., engineered storm water control systems, shoreline protection seawalls vs. revetments and engineered or natural shoreline, and not allowing keyhole funneling. The city does not require board site plan review for single family dwellings, because it is done by staff. Scott talked about the Charlevoix County Storm Water Ordinance that is no longer in effect as it was rescinded. An Ordinance was created that the surrounding townships follow that is administered by the County; the 3 cities within Charlevoix County did not adopt this ordinance. From the meeting discussion Claire will work on some proposed recommendations and present them to staff for discussion and/or consideration.

**Agenda addition**

**Recommendation for Planning Commission re-appointments of Ken Allen, Aaron Place, and Joe St. Dennis**

**\*\*MOTION**

Planning Director McPherson asked that this item be added to the agenda. The terms of Ken Allen, Aaron Place and Joe St. Dennis are due to expire at the end of this month. With confirmation that all members are willing to remain **motion by Kozlowksi, seconded by Neidhamer, PASSED UNANIMOUSLY** to recommend the reappointment of Ken Allen, Aaron Place and Joe St. Dennis to the Planning Commission for an additional 3 year term expiring May 31, 2019.

**Staff Report**

MEDC, Main Street and RRC met with the city on the 11<sup>th</sup> & 12<sup>th</sup> of this month for a Michigan Refresh presentation which gave the city some ideas on how to continue to market all the city has to offer.

**Good of the Order**

None

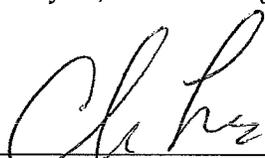
The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, June 20, 2016 at 5:00 pm in the Honeywell Meeting Room.

**Adjournment**

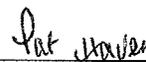
**\*\*MOTION**

**2016-05-16-10**

**Place moved, St. Dennis seconded, PASSED UNANIMOUSLY** a motion to adjourn the May 16, 2016 meeting at 6:23 p.m.



Vice Chair Chris Frasz



Pat Haver, Recording Secretary

# Haggard's

## PLUMBING and HEATING

"Business of Quality and Service"

"Charlevoix-the-Beautiful"

haggardsinc@hotmail.com

Date: September 7, 2016

To: City Planners Office  
319 N. Lake St.  
Boyne City, MI 49712

Re: For property located at 600 Jefferson Street and includes Parcels# 15-051-026-005-00 and 15-051-026-004-15. The total land area of the parcels is approximately 30 acres.

To whom it may concern:

Upon reviewing the above Notice of Public Hearing of Appeals, I would like to express my support with the above request of the owner. Haggard's Plumbing & Heating is not at all opposed to the changes of their property, and/or the request to Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time of economical struggles to either build and/or improve their existing property, we would like to see their request granted. It would prove positive for the local, county, state and country to do all we can to improve and promote growth in any way possible.

Sincerely,

*Haggard's Plumbing & Heating*

## CITY OF BOYNE CITY

**To:** Chair Jane MacKenzie and fellow Planning Commissioners

**From:** Scott McPherson, Planning Director

**Date:** September 19, 2016

**Subject:** 201 E Main St Development Plan Amendment

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### Background Information

The Boyne District Library has submitted a development plan to request approval for a building addition. The proposed 31' x 44' two story addition would be located on the north east corner of the building. The property, located in the Central Business District, allows 0' setbacks and building heights of 3 1/2 stories or 45 feet. The proposed addition would be used for maker space work room, offices, storage and mechanical rooms. The exterior elevations of the proposed addition are designed to match the existing building. The proposed addition has not yet been reviewed by the Main Street design committee.

The proposed expansion does not include the development of any parking spaces and currently no parking is provided by the Library. A 44 space public parking lot is adjacent to the Library and on street parking is located on the adjacent streets. Per ordinance standards to proposed addition is calculated to add between 4 and 5 additional parking space demand.

### Discussion

The City of Boyne City Zoning ordinance provisions for requesting and approving amendments to an approved site plan are contained in section 19.65 Amendments to Approved Development Plans which is as follows:

#### **Section 19.65 Amendments to Approved Development Plans.**

The development plan, if approved, shall become part of the record of approval, and subsequent actions relating to the activity authorized shall be consistent with the approved development plan unless a change or addition conforming to this Ordinance receives the mutual agreement of the landowner and the Planning Commission. Incidental and minor variations of the approved development plan, with written approval of the Administrator, shall not invalidate prior development plan approval. Amendments to the approved final development plan may occur only under the following circumstances:

- A. An applicant or property owner who has been granted final development plan approval shall notify the Planning Director of any proposed amendment to such approved development plan.
- B. Minor changes may be approved by the Administrator upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design, compliance with the standards of this Ordinance, nor any specified conditions of the plan as agreed upon by the Planning Commission. In considering such a determination, the Administrator shall consider the following to be a minor change:

1. For residential buildings, the size of structures may be reduced, or increased by up to five percent (5%), provided that the overall density of units does not increase.
  2. Square footage of nonresidential buildings may be decreased or increased by up to five percent (5%) or one-thousand (1,000) square feet, whichever is smaller.
  3. Horizontal and/or vertical elevations may be altered by up to five percent (5%).
  4. Movement of a building or buildings by no more than ten (10) feet.
  5. Designated Areas not to be disturbed may be increased.
  6. Plantings approved in the final development plan landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one-to-one or greater basis, provided they comply with the landscaping standards of this Ordinance, with approval of the Planning Director.
  7. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc., which conform to the requirements of this Ordinance.
  8. Changes of building materials to another of higher quality, as determined by the Planning Director.
  9. Changes in floor plans which do not alter the character of the use.
  10. Slight modification of sign placement or reduction of size.
  11. Relocation of sidewalks and/or waste receptacles.
  12. Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design.
  13. Changes required or requested by the City for safety reasons shall be considered a minor change.
- C. Should the Planning Director determine that the requested modification to the approved final development plan is not minor, the Planning Commission shall be notified in writing that the development plan has been suspended, and, if construction has initiated, a stop work order shall be issued for the section of the project deemed not to be in compliance. Thereafter, the applicant may revise the development plan and submit to the Administrator for resubmission to the Planning Commission.
- D. Should the Planning Commission determine that the modifications to the final development plan significantly alter the intent of the preliminary development plan, a new submittal shall be required.
- E. Any deviation from the approved final development plan, except as authorized in this section, shall be considered a violation of this Ordinance and treated as such.

## **Process**

If the Planning Commission determines that the proposed amendment does not significantly alter the intent of the approved plan, and is in conformance with the Ordinance standards the requested amendment may be approved through the mutual agreement of the landowner and the Planning Commission.

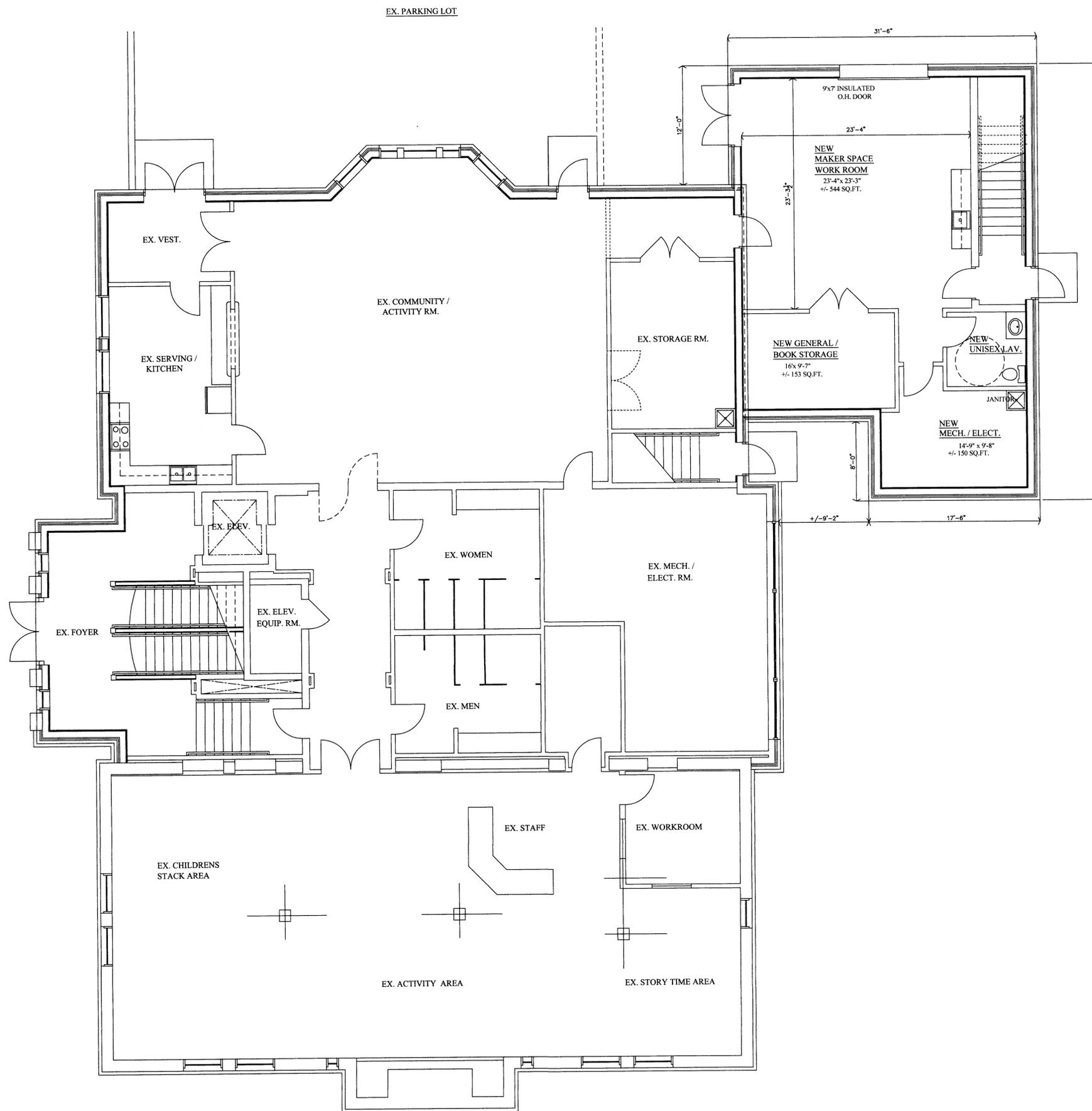
## **Options**

The Planning Commission can agree to the changes presented and approve the amendment; the Planning Commission can decide not to agree to the changes as presented and not approve the amendment; or, modifications to the proposed amendment that the applicant and the Planning Commission mutually agree on can be made and the proposed amendment with modifications can be approved by the Planning Commission.

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 Bloomfield Hills, MI 48302  
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 Petoskey, MI 49770  
 231 487-9290 Fax 231 487-9299  
 Email: ciron@charter.net

Issued For:  
 PRELIMINARY REVIEW  
 06.14.16  
 REVISED / REVIEW  
 07.12.16  
 SITE PLAN REVIEW  
 09.14.16



Preliminary First Floor Plan

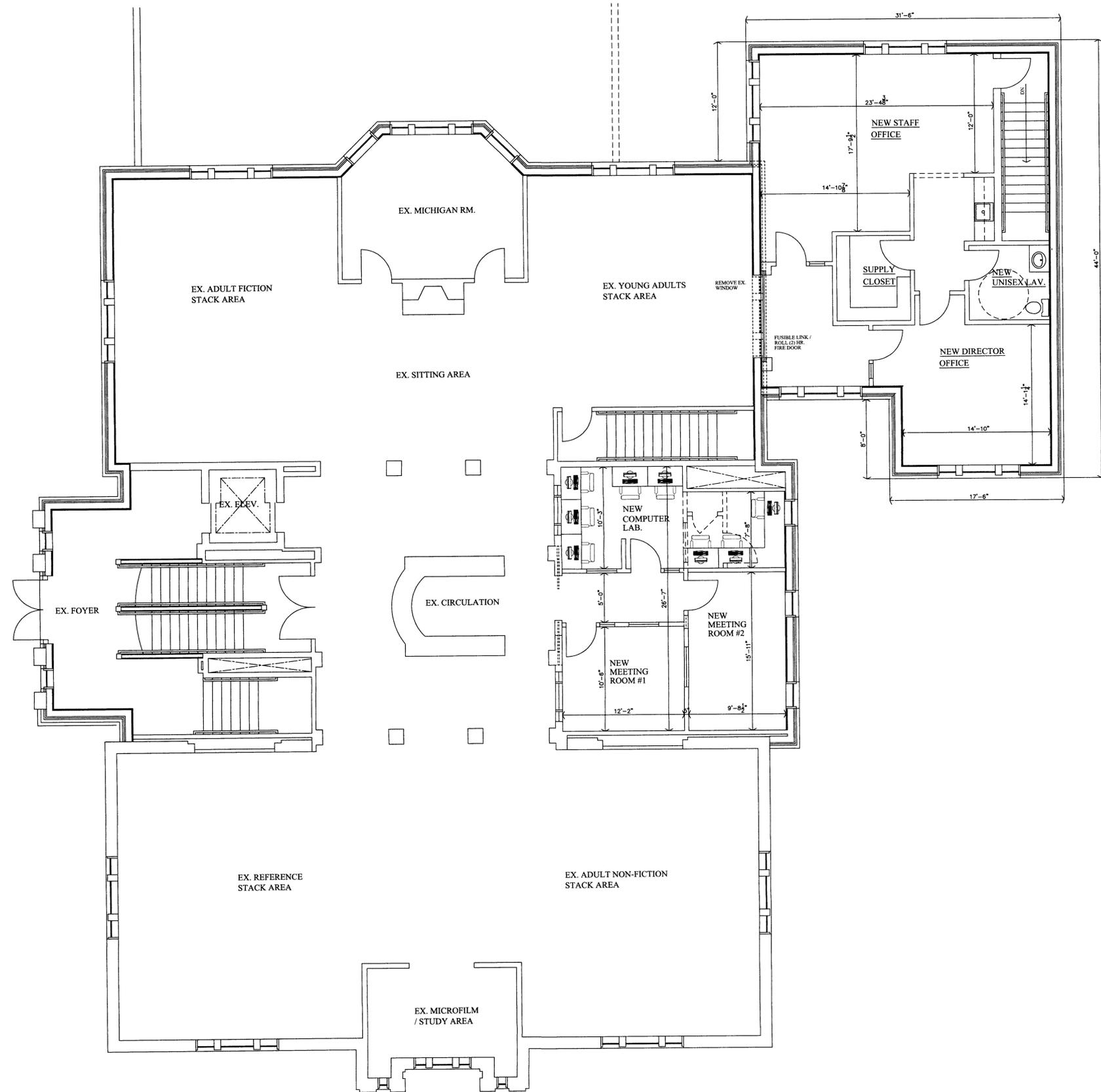
+/- 1,242 GROSS SQ.FT. 1ST. FLOOR BUILDING ADDITION AREA  
 +/- 2,484 GROSS SQ.FT. TOTAL BUILDING ADDITION AREA  
 SCALE: 3/16" = 1'-0"

Project:  
 Proposed (2) Story  
 Addition at the Boyne  
 District Library  
 BOYNE CITY, MICHIGAN

Sheet Title:  
 Preliminary First  
 Floor Plan

Project Number: 16-015  
 Drawn: CI  
 Checked: PN/PA  
 Date: 03.07.16  
 Sheet Number:

Issued For:
PRELIMINARY REVIEW
06.14.16
REVISED / REVIEW
07.12.16
SITE PLAN REVIEW
09.14.16



Preliminary Second Floor Plan

+/- 1,242 GROSS SQ.FT. 2ND. FLOOR BUILDING ADDITION AREA  
 SCALE: 3/16" = 1'-0"



Project:

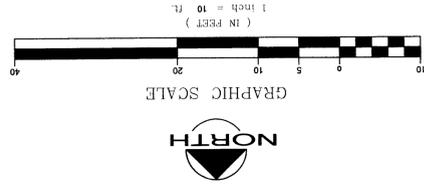
Proposed (2) Story  
 Addition at the Boyne  
 District Library

BOYNE CITY, MICHIGAN

Sheet Title:

Preliminary  
 Second  
 Floor Plan

Project Number:	16-015
Drawn:	CI
Checked:	PN/PA
Date:	03.07.16
Sheet Number:	A2



- LEGEND:**
1. ALL DIMENSIONS ARE IN FEET.
  2. ● INDICATES IRON ROD FOUND IN PLACE FROM PRIOR SURVEY.
  3. ○ INDICATES PREVIOUSLY SET 1/2" RE-ROD WITH I.D. CAP.
  4. @ INDICATES CONCRETE MONUMENT FOUND IN PLACE.
  5. BEARINGS ARE ON AN ASSUMED BASE.
  6. ELEVATIONS ARE BASED ON NGVD OF 1929. COUNTER INTERVAL IS 1 FOOT.
  7. UTILITY INFORMATION IS BASED ON FIELD OBSERVATION. PRECISE LOCATION OF ALL UTILITY LINES AND SANITARY STRUCTURES ARE SUBJECT TO MARKING BY UTILITY PROVIDERS AND/OR OWNER PRIOR TO ANY CONSTRUCTION.

**SITE DATA:**

SITE AREA: 0.396 ACRES / 17,265.93 SQ. FT.  
 ZONING: CBD - CENTRAL BUSINESS DISTRICT  
 BUILDING AREA: 12,515 GROSS SQ. FT. EXISTING BLDG. ADDITION AREA  
 2,484 GROSS SQ. FT. PROPOSED BLDG. ADDITION AREA  
 14,999 TOTAL GROSS SQ. FT. BLDG. AREA  
 BUILDING HGT.: (2) STORY BLDG. ADDITION / TO MATCH EXISTING BLDG.

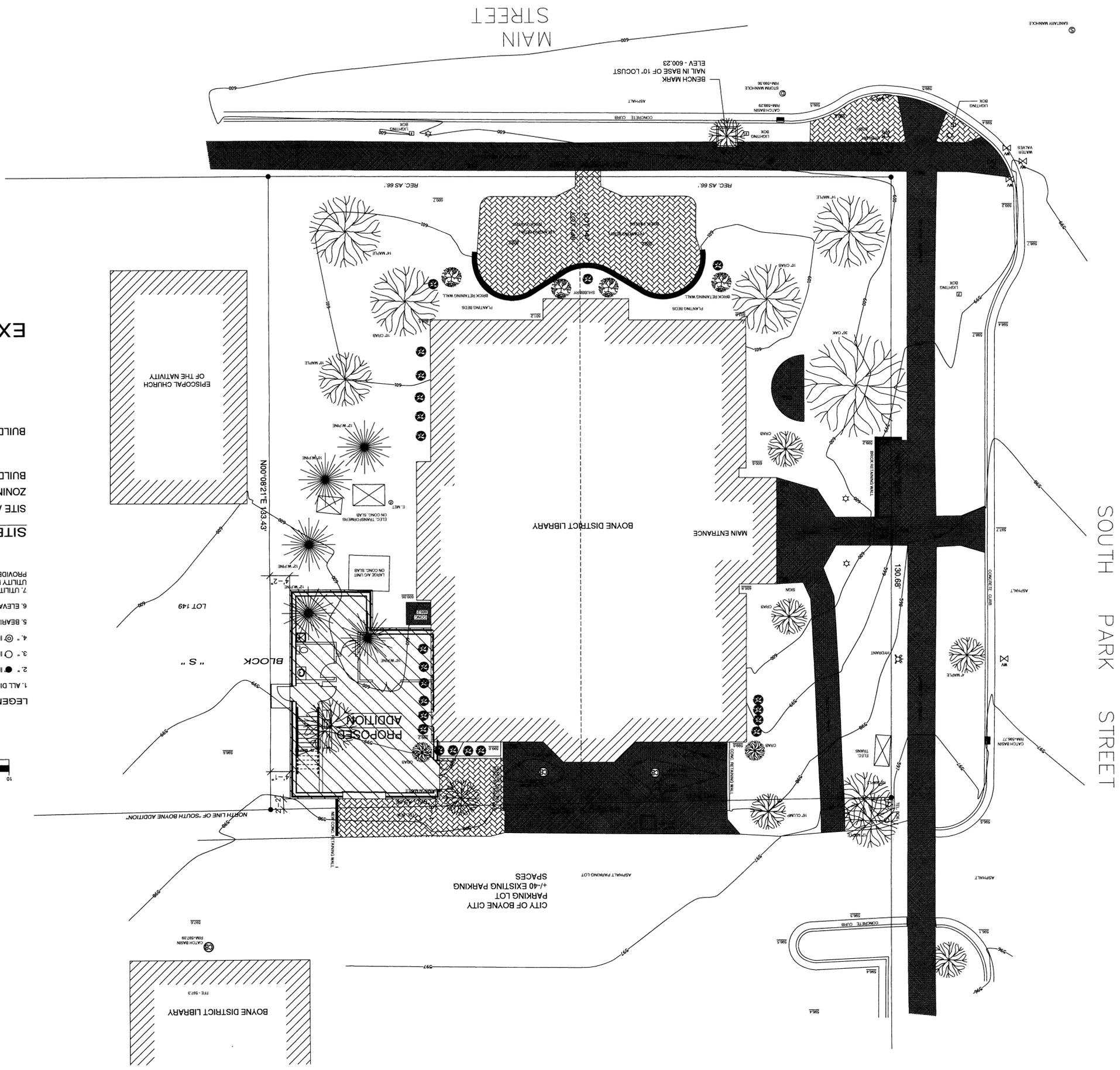
**PROPOSED SITE PLAN /  
 EX. TOPOGRAPHICAL SURVEY**

LOTS 147 & 148, BLOCK "S"  
 SOUTH BOYNE ADDITION TO CITY OF BOYNE CITY  
 MICHIGAN

SURVEY PREPARED FOR:  
**BOYNE DISTRICT LIBRARY**

SURVEY PREPARED BY:  
**FERGUSON & CHAMBERLAIN ASSOC.**

JOB #ST 26099c.16  
 DATED: 08.11.16



Issued For:  
PRELIMINARY REVIEW  
03.07.16

SITE PLAN REVIEW  
09.14.16



Preliminary North Building Elevation  
SCALE: 3/16" = 1'-0"

Project:

Proposed (2) Story  
Addition at the Boyne  
District Library

BOYNE CITY, MICHIGAN

Sheet Title:

Preliminary  
Building North  
Elevation

Project Number: 16-015

Drawn: CI

Checked: PN/PA

Date: 03.07.16

Sheet Number:

A3

## CITY OF BOYNE CITY

**To:** Chair Jane MacKenzie and fellow Planning Commissioners

**From:** Scott McPherson, Planning Director

**Date:** September 19, 2016

**Subject:** Alley Vacation Pre-Application Meeting



Marcella Hill has requested a pre-application meeting with the planning commission to discuss the possibility of vacating the alley next to her residence on Lincoln Street. As an application has not been submitted and the proposed request has not been reviewed by City departments. The applicant is requesting review and feedback from the Planning Commission prior to making a decision on submitting an formal application. The location of the alley is shown below.



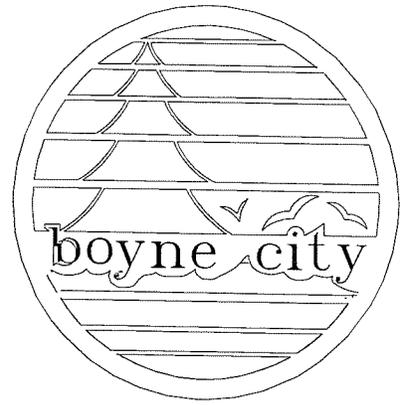
## CITY OF BOYNE CITY

**To:** Chair Jane MacKenzie and fellow Planning Commissioners

**From:** Scott McPherson, Planning Director

**Date:** September 19, 2016

**Subject:** Marvin Loding Award



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Several application for the Marvin Loding Award have been received and nomination will be accepted until September 19, 2016. The Planning Commission will be provided with all the nominations at the meeting. To give time to review the nominations and inspect the nominated properties I would suggest that the planning commission consider and vote on the nominations at the next regular meeting.