



# CHEBOYGAN COUNTY PLANNING COMMISSION

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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, AUGUST 4, 2010 AT 7:00 PM  
ROOM 135 - COMMISSIONERS ROOM  
CHEBOYGAN COUNTY BUILDING, 870 S. MAIN ST., CHEBOYGAN, MI 49721**

## **AGENDA**

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF AGENDA**

**APPROVAL OF MINUTES**

**UNFINISHED BUSINESS**

**NEW BUSINESS**

1. Discussion of streamlining approval processes and possible ordinance amendments
2. Discussion of draft zoning ordinance amendment - ZBA quorum requirements

**STAFF REPORT**

**PLANNING COMMISSION COMMENTS**

**PUBLIC COMMENTS**

**ADJOURN**



# 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/](http://www.cheboygancounty.net/planning/)

## MEMO

**Date:** July 26, 2010  
**To:** Cheboygan County Planning Commissioners  
**From:** Steve Schnell, Community Development Director  
**Re:** Creating more administrative review opportunities

Back in April we discussed creating some opportunities for simple site plans and amendments to approved plans to be reviewed administratively. I would like to present for discussion this slightly revised list based on our conversation in April. Again, the purpose of this is to make the process simpler and quicker for the applicant. Any change, however, would be done only in situations where the standards for the zoning administrator's review are clear.

These are a few suggested changes for discussion. Allow for administrative review for:

- Lakefront parcels where a second single-family home on the lakefront parcel is proposed. Section 10.3.12 effectively requires a special use permit for a second home on a lakefront parcel. The standards for this are already clearly stated in the ordinance and requires simple review.
- Increase in the allowed floor area that can change before a full SUP or site plan amendment is required. Currently we allow 5% increase in floor area. A 10% increase in floor area could be used as the threshold.
- A change of use if no SUP is required of the new use and if it also does not increase the amount of required parking beyond what is provided or what is clearly grandfathered.
- An amendment to an approved site plan which would increase floor area as long as parking requirements don't increase more than 10%.
- Movement of buildings no more than 20 feet. Currently we allow for movement of buildings no more than 10 feet.
- Include a provision which allows for only one administrative approval of an increase in size or parking requirements every 2-5 years.
- Additions to existing cell towers such as new antennae and structures which house equipment within 50 feet of the base and only for buildings which are related to the cell tower and its use.

To achieve this same purpose of shortening the review process for simpler applications we propose that the review time for site plans for permitted uses be shortened. We propose that the minimum required waiting time be shortened to somewhere between 14 and 20 days for site plans for permitted uses (not special use permits). If we had a department policy to inform adjacent neighbors of an application we would still achieve the goal to be informative and transparent in our decision making.



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## MEMO

**Date:** July 29, 2010  
**To:** Cheboygan County Planning Commissioners  
**From:** Steve Schnell, Community Development Director  
**Re:** Establishing proper quorum for ZBA decisions

We need to change the language regarding how a quorum is established for the ZBA. Our ordinance (Section 23.2.2) states that a majority of the members *present* shall be necessary to make a decision. However, by state law (PA 110 of 2006, 125.3603, Section 603(2)) there must be a majority of the board, not just those present, to make a decision.

In other words, our zoning ordinance allows for 2 yes votes if only 3 are present to make a final decision. This is not allowed under state law. We must have no fewer than 3 yes votes regardless of how many board members are in attendance.

This is a simple change and the proposed amendment is included in your packets. I seek approval to proceed to a public hearing.

**CHEBOYGAN COUNTY**  
**Zoning Ordinance Amendment # \_\_\_\_**

AN ORDINANCE TO AMEND THE CHEBOYGAN COUNTY ZONING ORDINANCE  
NO. 200 TO CHANGE THE QUORUM REQUIREMENT AND TO CHANGE THE  
REQUIREMENTS FOR THE NUMBER OF VOTES NECESSARY TO APPROVE  
APPLICATIONS MADE TO THE ZONING BOARD OF APPEALS.

THE COUNTY OF CHEBOYGAN, STATE OF MICHIGAN ORDAINS:

**Section 1. Amendment to Article 23.**

Article 23 of the Cheboygan County Zoning Ordinance No. 200 is hereby amended to read in its entirety as follows:

**SECTION 23.2 BOARD MEETINGS**

23.2.1 The Board of Appeals shall not conduct business unless a majority of the regular members are present. Meetings of the Board of Appeals will be held at the call of the chairman, and at other such times and places as the Board of Appeals may determine. All meetings shall be open to the public. The Board of Appeals shall keep minutes of all its proceedings and shall keep records of its findings, proceedings at hearings and other official actions, all of which shall be filed in the office of the Zoning Administrator, and shall be a public record. The Board of Appeals shall adopt its own rules of procedure for meetings.

23.2.2. The concurring vote of a majority of the entire membership of the zoning board of appeals shall be necessary to reverse or amend any order, requirement, decision or determination of the Zoning Administrator, administrative official or body, or to decide in favor of the applicant on any matter upon which they are required to pass under the zoning ordinance, or to grant a variance in the Zoning Ordinance.

**Section 2. Severability.**

If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the validity of the remainder of the Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

**Section 3. Effective Date.**

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the County.

CHEBOYGAN COUNTY

By:

Linda Socha

Its: Chairperson

By:

Mary Ellen Tryban