



CHEBOYGAN COUNTY PLANNING COMMISSION

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CHEBOYGAN COUNTY PLANNING COMMISSION MEETING WEDNESDAY, OCTOBER 5, 2011 AT 7:00 P.M. ROOM 135 – COMMISSIONER’S ROOM - CHEBOYGAN COUNTY BUILDING

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Eichhorn, Lyon, Churchill
ABSENT: Croft
STAFF: Scott McNeil
GUESTS: Bill Morgan Jr., John F. Brown, Tony Matelski, Russell Crawford, Cheryl Crawford, Bob Lyon, John Moore, Kevin Tucker

The meeting was called to order by Vice-Chairperson Borowicz at 7:00pm.

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

The September 21, 2011 Planning Commission minutes were presented. Ms. Lyon referred to the 1st line of the 9th paragraph on page 4 and requested that Grayling be changed to Gaylord. **Motion** by Mr. Kavanaugh, seconded by Mr. Churchill, to approve the meeting minutes as revised. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Croft)

PUBLIC HEARING AND ACTION ON REQUESTS

TRAVIS CONNERS – Requests a site plan review amendment to add property and construct a storage building. The property is located at 562 S. Straits Highway, Tuscarora Twp., section 1, parcel #161-001-200-005-04 and is zoned Commercial Development District (D-CM).

Mr. McNeil stated that the Planning Commission previously approved a site plan to the east for the applicant. Mr. McNeil stated the applicant will be acquiring 1.46 acres to the west and a 50' x 80' storage building is proposed that will be in conjunction with the existing business. Mr. McNeil stated there is an area that is zoned Agriculture/Forestry but most of the property being acquired by the applicant falls within the Commercial Development District. Mr. McNeil stated there are no additional employees and no additional parking requirements. Mr. McNeil stated there is no proposed lighting. Mr. McNeil stated the applicant is requesting waiver from the topography requirement and the building elevation requirement. Mr. McNeil stated staff recommendations include compliance with the stormwater control ordinance and the property be combined with the existing parcel to make one parcel of record.

Mr. Kavanaugh asked if the applicant made any comments on the height of the proposed building. Mr. McNeil stated he believes the building will be 22ft. and that it is within the maximum height limitation. Discussion was held.

Mr. Tucker stated he will be speaking on behalf of the applicant. Mr. Tucker stated the elevation is 16ft. to the bottom of the truss. Mr. Tucker stated the storage building will be used for winter boat storage. Mr. Kavanaugh asked if there will be water and sewer to the building. Mr. Tucker stated there will be no utility hook-ups (electric, water, sewer) at all. Mr. Tucker stated that they understand they would have to apply to the Planning Commission if they decide to amend the site plan.

Mr. Kavanaugh noted there is outside storage at this location and there was a restriction for it to be only in designated areas shown on the original site plan. Mr. Kavanaugh stated there is a problem with storage. Mr. Kavanaugh asked if there will be outside storage in this new area. Mr. Tucker stated he will talk to Mr. Connors regarding the storage issue.

Mr. Borowicz asked for public comments. There were no public comments. Public comment closed.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to waive the elevation and topography requirement. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Croft)

The Planning Commission reviewed and approved the General Findings and the Specific Findings Of Fact Under Section 20.10. **Motion** by Mr. Kavanaugh, seconded by Mr. Freese, to approve the site plan based on the General Findings and the Specific Findings Of Fact Under Section 20.10 with the following stipulations:

1. Comply with the provisions of the Cheboygan County Soil Sedimentation and Stormwater Control Ordinance
2. Two parcels must be combined into one parcel of record
3. No utilities (sewer, water or electric) connected to the building
4. No outside storage on the new parcel

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

UNFINISHED BUSINESS

An ordinance to amend Cheboygan County Zoning Ordinance No. 200 to add new zoning districts, Village Center Topinabee (VC-T) and Village Center Topinabee Overlay (VC-T-O) which encompasses generally property abutting North Straits Highway from approximately 690 feet north of Woodruff Street and proceeding south to Ranch Road, not including property between Mullet Lake and the DNR recreational trail.

Mr. McNeil reviewed the purpose of the residential overlay district and stated the uses that are allowed for residential zoning districts are allowed in the residential overlay district. Discussion was held regarding the uses for the residential overlay district. Mr. Morgan asked what is a patio home. Mr. McNeil stated it is a type of apartment/multi-family use. Mr. Borowicz asked if there is a definition for patio home. Mr. McNeil stated no and these are uses that are currently in the Residential District. Mr. Borowicz stated if this use is not defined it should not be allowed. Mr. Freese stated if the use will be in the regulation it should be defined. Discussion was held regarding definitions for patio home, townhouse and multi-family housing. Mr. McNeil stated he will work on these definitions.

Mr. McNeil reviewed the minimum lot sizes, setbacks and the minimum requirements for a new dwelling in the Village Center Residential Overlay District. Mr. Freese asked if this will create any non-conformities. Mr. McNeil stated no.

Mr. McNeil noted that the overall Village Center allows for zero front setbacks. Mr. McNeil noted there is a 30ft. front setback requirement in the Village Center Topinabee Residential Overlay. Mr. McNeil asked if the Planning Commission intended to have a zero front setback everywhere in Village Center even for single family uses. Mr. Freese stated the Planning Commission wanted a 30ft. front setback for residences.

Mr. Freese asked for the minimum depth to the top of the bluff. Mr. Freese stated that this information is important as there is a 30ft. front setback and a 12ft. rear setback and he wants to make sure that these setbacks still allow for the property owners to build. Mr. McNeil stated he will have to review this information. Discussion was held.

Mr. McNeil referred to 13D.4.3 and stated there is a 30ft. front setback in Village Center Topinabee Overlay. Mr. Freese noted there should be a zero front setback for everything but new residences which would have a 30ft. front setback requirement.

Mr. Morgan stated that the Planning Commission should consider that it does not seem fair that a commercial building can be built right up to the lot line but a residence cannot even have a deck within the 30ft. front setback area. Mr. Morgan noted that Mackinaw Island has a 30ft. front setback for residences and a 20ft. front setback for open porches and decks. Mr. Freese stated he did not have a problem with Mr. Morgan's suggestion. Mr. McNeil stated he will work on revising the amendment for the next meeting.

Mr. Kavanaugh and Mr. Freese requested that all property owners in the Village Center Topinabee Residential Overlay be notified of the changes. Discussion was held.

An ordinance to amend Cheboygan County Zoning Ordinance No. 200 regarding regulations for signs in the new VC-T and VC-T-O zoning districts.

Mr. McNeil stated sign regulations for the Village Center Topinabee Residential Overlay District are the same as they are for Residential.

NEW BUSINESS

Review of feedback from Lake Associations regarding fences on lake front property

Mr. McNeil stated the feedback is mixed and the ordinance only allows fences in the water front setback area under certain conditions. Mr. Freese stated after reviewing all of the comments the proposed ordinance is a good compromise. Mr. Freese stated the height of the fence is something the Planning Commission could review further. Mr. Freese stated a 6ft. height would be a good compromise. Mr. Kavanaugh stated the Planning Commission could review the fence height based on the comments submitted. Mr. Kavanaugh stated if the lake associations were concerned about this subject they would be submitting more comments. Mr. Freese noted that the Board of Commissioners requested that the Planning Commission review fences along the waterfront and notify the lake associations. Mr. Freese stated the Planning Commission has reviewed this for a year now and has not gotten any further. Mr. Freese stated the fence height could be dealt with at a later time. Discussion was held. **Motion** by Mr. Freese, seconded by Mr. Ostwald, that the information that the Planning Commission discussed be communicated to the Board of Commissioners by Mr. Matelski. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Ostwald, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Croft)

Discussion – Planner’s Moments education video as part of regular meeting agenda

Mr. McNeil asked if the Planning Commission would like to make the Planner’s Moments educational videos part of a regular meeting one time a month. The Planning Commission agreed that the Planner’s Moments educational videos should be made part of a regular meeting. Discussion was held.

STAFF REPORT

Mr. McNeil stated at the next meeting he will have a draft ordinance for the Tuscarora Township commercial rezoning along M-68.

Mr. McNeil stated there have been discussions regarding applying front yard setbacks on both road right-of-ways on corner lots. Mr. McNeil stated this was intended to be done but after reviewing the ordinance he does not see that it has been added. Mr. McNeil stated the ordinance currently requires a front setback on a corner lot only at the road right-of-way that has an address or is designated in a subdivision plat. Mr. McNeil stated that the Planning Commission previously discussed this topic during administrative ordinance updates. Mr. Freese stated he is concerned that this will create more variance requests for the Zoning Board of Appeals. Mr. Freese stated if there is a 30ft. front setback requirement on corner lots it will restrict building on some lots. Mr. Kavanaugh asked if there have been any problems with corner lots. Mr. McNeil stated that it has been a concern for a while as there are some places in the Agriculture/Forestry Management District that there are storage buildings with high walls sitting close to the right-of-way. Mr. Freese suggested including restrictions for sight line for road intersections. Discussion was held.

PLANNING COMMISSION COMMENTS

Mr. Kavanaugh stated that the Community Development Department bi-monthly report with the administrative review report is very helpful.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:40pm.



Charles Freese
Planning Commission Secretary