



CHEBOYGAN COUNTY PLANNING COMMISSION

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

PRESENT: Bartlett, Freese, Kavanaugh, Borowicz, Croft, Eichhorn, Lyon, Churchill
ABSENT: Ostwald
STAFF: Scott McNeil
GUESTS: Tony Matelski, Bob Lyon, John Moore

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

APPROVAL OF AGENDA

The meeting agenda was presented. The Planning Commission added “Review of Capital Improvement Plan Revisions” to the agenda. **Motion** by Mr. Freese, seconded by Mr. Kavanaugh, to approve the agenda as amended. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Ostwald)

APPROVAL OF MINUTES

The November 16, 2011 Planning Commission minutes were presented. Mr. Churchill referred to the approval of agenda on page one and requested that the approval show that Mr. Eichhorn was present at the meeting and that Mr. Churchill was absent. **Motion** by Mr. Kavanaugh, seconded by Mr. Borowicz, to approve the meeting minutes as revised. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Ostwald)

UNFINISHED BUSINESS

Review of ZOA regarding truck terminal and warehouse uses in Commercial Development District (D-CM)

Mr. McNeil stated a public hearing was held for this amendment and the Planning Commission forwarded the amendment to the Board of Commissioners with a recommendation for approval. Mr. McNeil stated that upon further review and under consultation from legal counsel, it was decided to have a more generic definition for warehouse and to keep the language relative to flammable material within the regulation. Mr. McNeil stated this regulation would also apply to other warehouse uses in the ordinance. Mr. McNeil stated that Mr. Graham advised that another public hearing would not be required with this type of change.

Mr. Freese noted that the revised amendment does not state the zoning districts that will allow this type of storage. Mr. Borowicz agreed with Mr. Freese. Mr. McNeil stated it is under the regulations for that use within the Commercial district. Mr. McNeil stated it would be allowed in the industrials districts as there is a generic definition. Discussion was held. Mr. Freese stated that flammables and explosives cannot be stored in a warehouse/truck terminal in the Commercial District. Mr. Freese asked where flammables and explosives can be stored in the county. Mr. McNeil stated in General Industrial District and Light Industrial District. Mr. Freese referred to a Travis Conner’s site and noted that there is this type of storage happening at this location and other warehousing of flammables in commercial districts that would also be a problem such as auto part stores, lumber yards, gas stations, etc. Discussion was held that Mr. Conner’s site is not a warehouse or truck terminal. Mr. Borowicz stated Mr. Conner’s site would qualify as a warehouse based on the definition. Discussion was held. Mr. Freese stated this should be carefully reviewed. Mr. McNeil stated he will review the definition to see if he can add in something related to direct retail storage. Ms. Lyon asked if gasoline might be stored on site for a truck terminal. Mr. Freese stated there may be a buried tank that would not be in the warehouse. Mr. Freese read the definition of truck terminal “A premises used for loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point and which is designed to accommodate the simultaneous loading or unloading of trucks.” Mr. McNeil stated he will review the definition of warehouse.

Review of Capital Improvement Plan Revisions

Mr. McNeil reviewed an e-mail from County Administrator Mr. Lawson. Mr. McNeil explained that the Capital Improvement Plan will be integrated into the budget. Mr. McNeil stated that Mr. Lawson will be attending a Planning Commission meeting in

the future to discuss the Capital Improvement Plan.

Mr. McNeil reviewed the revisions to the Capital Improvement Plan. Mr. McNeil stated County Building Security and Court Improvements is a new project. Mr. McNeil stated that the year for the County Building Boiler Replacement was changed to 2012. Mr. McNeil stated the year for Phase 1 of the County Building Roof Replacement was changed to 2012 and the estimated cost was reduced to \$75,000. Mr. McNeil stated Animal Shelter Reconstruction was changed to Phase 1 Animal Shelter Reconstruction. Mr. McNeil stated the Hanger Door Replacement at the Cheboygan Airport Authority is a new project. Mr. McNeil stated the year for the County Building Trim Panel Replacement was changed to 2013. Mr. McNeil stated the County Building Roof Replacement now refers to Phase II.

Mr. Kavanaugh asked who decided the category (needed or desirable) for the new projects. Mr. McNeil stated that it is a recommendation from administration to the Planning Commission that the new projects be included in the needed category.

Mr. McNeil stated the project year for the County Building Parking Lot and Driveway Repaving was changed to 2015. Mr. McNeil referred to the Cheboygan County Marina Pier System A Replacement and Update and Pier System B Replacement and Upgrade and noted that "Contingent on Obtaining Funding - 2016" was added as a statement was added for the project year.

Motion by Mr. Freese, seconded by Mr. Kavanaugh, to include the proposed changes in their entirety and forward to the Board of Commissioners and concur with their recommendation for approval. Motion carried. 8 Ayes (Bartlett, Freese, Kavanaugh, Borowicz, Croft, Eichhorn, Lyon, Churchill), 0 Nays, 1 Absent (Ostwald)

NEW BUSINESS

2012 Planning Commission Work Plan

Mr. McNeil reviewed his memo to the Planning Commission dated 11/29/11. Mr. McNeil stated that items included on the work plan will become his program of work for the upcoming year. Mr. McNeil asked the Planning Commission to list a first priority category and a second priority category. Ms. Croft asked what Mr. Schnell's timeframe is for the Master Plan. Mr. McNeil stated he will be working on the Master Plan throughout 2012 and it will be completed in 2013. Ms. Croft noted that some of the amendments should be worked in conjunction with the Master Plan. Discussion was held. The Planning Commission determined that they would like to have all of the items in the next work plan but they need more time to prioritize. Mr. McNeil stated he will integrate the work plan items into a draft document and the Planning Commission can then prioritize.

Discussion was held regarding on-going work. Mr. McNeil stated the Planning Commission has been provided follow-up on approved special use permits and site plans. Mr. McNeil stated Mr. Schnell would like to provide quarterly reports on enforcement matters and have the Enforcement Officer attend a Planning Commission meeting. Discussion was held regarding the administrative approvals that are included on the bi-monthly Community Development Department Report.

Mr. Freese asked if there has been an approval for a car lot on the corner of Straits Highway and M-68. Mr. McNeil stated he will look into this matter.

Mr. Kavanaugh stated his concerns regarding the lack of follow-up after approval from the Planning Commission. Discussion was held. Mr. Kavanaugh suggested creating a policy for reviewing previous Planning Commission approvals to ensure compliance and following up on a regular basis. Mr. Kavanaugh suggested going back 10 years and reviewing Planning Commission approvals. Discussion was held regarding outside storage at Mr. Conner's site. Mr. McNeil stated he will check into the outside storage at Mr. Conner's site. Mr. McNeil stated he will look into creating a program for follow-up of Planning Commission approvals. Mr. McNeil stated he will also have a draft work plan for the next meeting.

Proposed rezoning of property currently zoned Lake and Stream Protection District (P-LS) to a new zoning district, Lakefront Historic Protection District (P-LH)

Mr. McNeil reviewed his report to the Planning Commission dated 11/22/11 regarding a new zoning district, Lakefront Historic Protection District. Mr. McNeil noted that the minimum recommended lot size is 60ft. and 9,000sf.

Mr. Freese stated that based on this report only 14 of the 30 side lot variances granted during the study period would have conformed if the regulation had been in place. Mr. Freese stated this is a good way of looking at it but he would like to see over at least 15 out of the 30. Mr. Freese suggested looking at lots that are 50ft. or less in width and having a 2ft. side setback. Mr. Freese stated there would still be 7% for the rest of the lots. Mr. Freese noted this will increase the number of lots that would have conformed from 14 to 19. Discussion was held.

Mr. Freese referred to the rear lot line variances and stated only 4 of the resulting rear setbacks would have conformed if the regulation had been in place. Mr. Freese stated rear setbacks are a different situation and he will review and see if there are any other options. Mr. Freese stated there may be nothing that can be done for rear setbacks.

Mr. Freese stated a lot of work was done for the waterfront setback variances but there is not a lot of information that can be used. Mr. McNeil agreed and stated this is why he recommended 40ft. Mr. Freese suggested looking at aerial photos to see what the setback is for existing buildings. Mr. Freese stated there may be a correlation between narrow lots and the front setback. Mr. McNeil stated it would not be difficult to review.

Mr. Kavanaugh stated there are only a small amount of these types of variance requests each year. Mr. Kavanaugh stated the Zoning Board of Appeals is able to review all issues such as fire, height, wind, view, etc. with a dimensional variance application. Mr. Kavanaugh stated that due to the small number of requests he believes that changing the setbacks to percentages is a waste of time. Mr. Kavanaugh stated that for the small amount of these types of variances, the Zoning Board of Appeals does a great job and they are able to look at each request on an individual basis. Mr. Kavanaugh stated side setbacks are a benefit for safety issues, trees and property line discussions. Discussion was held that there are more variance requests submitted each year and that numbers reflect the variances that were approved.

Mr. McNeil stated he will review aerial photos and determine front setbacks for existing buildings and he will come up with criteria for lots that are 50ft. wide or less. Discussion was held. Mr. Eichhorn stated this will allow the Planning Commission to at least review the information.

STAFF REPORT

No comments.

PLANNING COMMISSION COMMENTS

No comments.

PUBLIC COMMENTS

No comments.

ADJOURN

Motion by Mr. Kavanaugh to adjourn. Motion carried. Meeting was adjourned at 8:01pm.



Charles Freese
Planning Commission Secretary