

Bear Creek Township Planning Commission Meeting
August 28, 2019

- I. **Called to order:** 7:16 p.m.
- II. **Roll Call:** Mays, Kendziorski, Urman, Coveyou, Brown, Olliffe, Haven
- III. **Others in Attendance:** Tammy Doernenburg, Fred Fry, Dennis Keiser, Steve Shuman, Mr. and Mrs. Topley, Walter D. Kring
- IV. **Pledge of Allegiance**
- V. **Approval of Minutes**
 - a. **Motion** by Mays to approve the minutes as presented from the Regular Planning Commission Meeting of July 31, 2019, 2nd by Haven. **Passed- Unanimous**
- VI. **Case PREZN 19-04 Walter D Kring for Debra L Kring Trust, REZONING R-2, B-1 and PUD-1 Overlay to B-2 General Business, 2001 & 1911 N US 31 Hwy, Section 26**
 - a. Tammy Doernenburg gave a background to the case:
 - i. Doernenburg clarified that the request for rezoning is only for one large parcel (2001 US 31 Hwy). The second parcel (1911 N US 31 Hwy) is currently B-2 and does not need to be rezoned, however, it was part of the PUD, and its place in this case is to discuss whether or not to keep the PUD. Doernenburg stated that currently, the parcel in question (2001 US 31 Hwy) is zoned R-1 and B-1. The request is that this parcel be rezoned B-2. The future land use map for Emmet County shows business use along the highway and mixed use along Hiawatha, therefore, this rezoning would be consistent with the Emmet County Master Plan. The soils map does show some muck for 10-20' off of Hiawatha, but the soils map is not site specific.
 - 1. Coveyou asked for clarification regarding the current PUD.
 - a. Doernenburg clarified that the PUD was established originally because of the businesses to the east. However, there are different businesses there now.
 - b. Walter Kring addressed the Planning Commission regarding these properties:
 - i. He would like all of his property to be zoned the same way so that if he does choose to develop this parcel, he will be prepared in the future. He also asked for clarification in regards to what a PUD is.
 - 1. Doernenburg explained the concept of a PUD.
 - c. Board Discussion and Questions:
 - i. Mays was concerned about the business district extending all the way to Hiawatha. Coveyou agreed. A PUD would maintain a larger setback in order to be considerate of residents on Hiawatha.
 - ii. Haven asked for clarification- do other businesses have driveways going out to Hiawatha?
 - 1. Kring clarified that he does have a back exit out of the dealership to Hiawatha. There are very few residencies on Hiawatha near his property. To his knowledge, the majority of neighboring properties are conservancy properties.
 - d. **Motion** by Haven to recommend approval of PREZN 19-04, Walter D Kring for Debra L Kring Trust for Rezoning from R-2 General Residential and B-1 Local Tourist Business to B-2 General Business on property located at 2001 US 31 Hwy, Section 26, Bear Creek Township, tax parcels 24-01-16-100-026, as proposed on the zoning action application dated received August 12, 2019, because the standards for rezoning have been met. The proposed rezoning is consistent with the Emmet County Master Plan, the uses are consistent with surrounding uses, there would not be an adverse impact on the surrounding properties, it would not create a deterrent to the improvement

of adjacent properties. Also to recommend approval of removal of the Planned Unit Development-1 (PUD-1) overlay for 2001 US 31 Hwy (tax parcel 24-01-16-26-100-026) and 1911 N US 31 Hwy (tax parcel 24-01-16-26-300-005) both within Section 26, Bear Creek Township to provide for consistent zoning along the US-31 corridor for the reasons identified above in the rezoning. 2nd by Brown.

i. Roll Call: Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays, Haven

1. Yes- Urman, Brown, Olliffe, Coveyou, Kendziorski, Mays, Haven

Passed

VII. Case PSUP 19-011 Michael Topley, SPECIAL USE PERMIT- Accessory building as a Main Use, Country Club Rd, Section 33

a. Tammy Doernenburg gave a background to the case:

i. Doernenburg clarified that the parcel in question is 400-017, currently zoned R-1. It is owned by the same person that owns the adjacent parcel 400-014. This parcel is located on the corner of Country Club Rd and Division Rd. It is accessible via a shared driveway. The proposed accessory building meets the setbacks. The parcel is slightly larger than a ½ acre and it is mostly screened. There is room to have a house on the property in the future. The request is for an accessory building as a main use.

b. Steve Shuman addressed the Planning Commission regarding the parcel in question:

i. Shuman explained the history of the parcel and went over the site map, including where the parcel sits and the residences on the adjacent parcels. He also explained the shared driveway as the access to this property.

c. Board Discussion and Questions:

i. Coveyou asked why not sell it as a buildable lot?

1. Shuman clarified that it could be sold as an individual lot, and it is not a guarantee that this accessory building will even be built. This permit would give the Topley's options in the event that one of the lots was sold, but not the other.

ii. Urman asked if this was approved, how long would they have to build the proposed house?

1. Doernenburg clarified that if this was approved, there would not be a time frame for the proposed house to be built. The accessory building could sit on its own for any amount of time.

iii. Mays asked if this parcel is part of Bay View Association. It is not.

iv. Coveyou is concerned that we are setting a precedent with this case if we accept it. Urman agreed.

v. Mays asked if there was a height limit?

1. Doernenburg clarified that 30' is the limit.

vi. Mays is concerned that we have not seen any details regarding the proposed accessory building.

1. Clarification from Shuman: current stipulation is that there would be no metal siding, 15' height. Most likely wood building with shingles.

d. **Motion** by Mays to approve case# PSUP 19-011, Michael Topley for a Special Use Permit for a Customary Accessory Building without a main use on property located on Country Club Road, Section 33 of Bear Creek Township on tax parcel 24-01-16-33-400-017, as shown on the site plan dated received August 12, 2019 because the standard of Section 26.16.1 have been met base on the facts presented in this case and no good purpose would be served by strict compliance with the size standards of the Ordinance and on condition that the building be used for personal use and an affidavit of use be filed with the Register of Deeds prior to issuance of a zoning permit, and that no metal siding be used, to use shingle roofing, and to have 12' side walls with a

6x12 pitch. Additionally, leave the existing trees for screening as possible along Division and Country Club. 2nd by Haven.

i. Roll Call: Haven, Brown, Olliffe, Coveyou, Kendziorski, Mays, Urman

1. Yes- Haven, Brown, Coveyou, Kendziorski, May, Urman

2. No- Olliffe

Passed

VIII. Other Business:

a. Kendziorski asked if anyone wants to go to the Citizen Planner Emmet County Program. Registration is due September 10, 2019.

i. Olliffe would like to go.

ii. Coveyou suggested as many people go as possible. Could we share a registration and split the classes between two people?

iii. Kendziorski asked that everyone decide if they would like to be registered by September 6, 2019.

b. Kendziorski asked if anyone would like to go to the Northwest Michigan Housing Summit?

i. Haven would like to go.

ii. Kendziorski asked that everyone decide if they would like to be registered by September 6, 2019.

c. Doernenburg went to the Hot Topics in Planning and Zoning meeting and gave a report regarding that meeting. She received some great suggestions.

d. Doernenburg stated that at the county level, they are discussing the housing crisis, specifically regarding reduced density and reduced lot width. Also reduced minimum floor area.

i. Monthei has brought a concept before the county and Doernenburg asked if we would like to meet with them to entertain their ideas.

1. Urman and Mays agreed that we would like to see Monthei before the Planning Commission regarding this concept, simply for informational purposes.

IX. Next Meeting: September 25, 2019, 7:15 p.m.

X. Adjournment: 8:59 p.m.

Respectfully Submitted,

Emma Kendziorski

Emma Kendziorski, Bear Creek Township Clerk

Jeff Haven, Recording Secretary