EMMET COUNTY PLANNING COMMISSION
THURSDAY, JANUARY 4, 2001 - 7:30 P.M.
COMMISSIONER’S ROOM
COUNTY BUILDING - PETOSKEY

MINUTES

MEMBERS PRESENT: J. HARRIS, CHAIRPERSON; J. EBY, J. JONES, J. SCOTT, K. DERROHN, L. BLANCHARD, M. GARGARO, D. LAUGHBAUM

MEMBERS ABSENT: (ONE VACANT SEAT)
STAFF: M. PUTTERS, D. COON, T. DOERNENBURG, KATHY ABBOTT, EMMET COUNTY CIVIL COUNSEL

I Call to Order and Attendance
Chairperson Harris called the meeting to order at 7:30 p.m.

II Welcome new member David Laughbaum
Chairman Harris introduced and welcomed David Laughbaum to the Planning Commission.

III Minutes of December 7, 2000
Jones offered a motion, supported by Derrohn, to approve the minutes of December 7, 2000 as written. The motion passed on a unanimous voice vote.

IV Enforcement Report - Larry Houghton
Putters briefly explained the report, which concerned an enforcement issue in Center Township which appears to be resolved.

V Resolution of Appreciation - Leroy Gregory
Putters read the resolution of Appreciation for Leroy Gregory as follows:

RESOLUTION OF APPRECIATION
Leroy Gregory

WHEREAS: Mr. Gregory has served actively as a member of the Emmet County Planning Commission from 1977 to 2000, and

WHEREAS: Mr. Gregory has demonstrated a strong personal interest in the process of guiding community growth in accordance with sound planning principles, and with a strong interest and concern for the impacts of development on the natural environment, and

WHEREAS: Mr. Gregory has discharged his responsibilities as a member of the Commission with fairness, dedication, and civic pride,

NOW THEREFORE BE IT RESOLVED: That the Emmet County Planning Commission publicly recognize Mr. Gregory for his numerous contributions to County Planning during his twenty-four year tenure, and in particular, for the inconveniences and personal hardships that are an inherent part of planning in the face of such complex issues as land use change, resource management, transportation and economic development, and

BE IT FURTHER RESOLVED: That a Certificate of Appreciation be forwarded to Mr. Gregory, and that a copy of this Resolution be entered into the records of the Planning Commission, and that a copy be transmitted to the Emmet County Board of Commissioners.

Resolution made and passed at a regular meeting of the Emmet County Planning Commission, on January 4, 2001.
Blanchard made a motion, supported by Scott, to accept the resolution and to call for its adoption. The motion passed by unanimous voice vote of the members present.

Gargaro arrived at 7:32 p.m. and Eby arrived at 7:35 p.m.

VI Cases

1. CASE #69-00 Wade-Trim for Frank Giese, SPECIAL USE PERMIT, Land Development Standards, Milton Road, Section 34, Maple River Township.

A request by Wade-Trim, Inc. for Frank Giese for a Special Use Permit for Land Development Standards to create a 22-unit Site Unit Condominium on property located on Milton Road, Section 34, T36N-R4W, Maple River Township. The property is some 45.33 acres, is zoned FF-1 Farm Forest and is tax parcel number 24-09-14-34-300-016. The request is per Section 2102-14 and/or 1901 of the Zoning Ordinance.

Putters indicated that no new information has been received regarding the request which has been reviewed for several months. The applicant had indicated before the December 2000 meeting that a revised plan would be necessary due to health department issues.

Eby stated that Maple River Township does not support the plan as presented. It appears that there are health department issues that need to be resolved, and the delay is not entirely the applicant’s fault.

The Planning Commission advised staff to send a letter indicating action will be taken at the next regular meeting.

2. CASE #76-00 Ray Kutcher, SPECIAL USE PERMIT, Land Development Standards, 5917 Wormwood Lane, Section 22, Readmond Township.

A request by Ray Kutcher for a Special Use Permit for Land Development Standards to create eleven (11) parcels on a property with road frontage on three sides. The property is located on State Road, Wormwood Lane and Osborn Road in Section 22, T37N-R6W, Readmond Township. The property is zoned FF-2 Farm Forest and is tax parcel number 24-12-08-22-300-001. The request is per Section 2102-14.

Putters explained the request for a Land Development project on eighty acres in Readmond Township. A concept open space plan prepared by planning staff was shown. In the concept plan, land saved on a zoning lot could be preserved in open space. A green area along the south of the property was suggested. Lots would remain at the sizes indicated unless a zoning change occurred. The five acre parcels proposed by the applicant will be eligible for re-split in the future, probably piece meal and without a plan. The proposal is subject to the Land Development Standards and Special Use Permit standards of the ordinance. There is more assurance of a rural environment with the alternate plan.

Putters added that the applicant is anxious for approval. He is not interested in the concept plan. A memo sent to the applicant was provided to the Planning Commission as well as a legal opinion from Kathy Abbott, Civil Counsel, regarding the Land Development review options for the Planning Commission.

Kutcher stated that in different situations, the concept plan could be utilized. It is a rural area and Readmond Township preferred the larger parcels. It meets all of the minimum requirements to split the land.

Blanchard questioned why the applicant feels the lots will not be split in 10 years? Kutcher responded that the property owner should be able to do with their land whatever is allowed by law. Many of those could be split again, they may never be split. A letter from the Road Commission approving the access point is on file.

Ron Rushton from the Emmet County Road Commission offered to answer questions regarding Road Commission standards. Kutcher stated that three lots will use the private road. The other lots will all access the County Roads. Readmond Township Fire Department approved the request.

Eby asked why other departments require 120' turn-around, but this one does not. Because it is not a standard of the ordinance at this time.

Jones made a motion to approve Case #76-00, Ray Kutcher, Special Use Permit for Land Development as indicated on the sketch of proposed land split dated 9/25/00 because it meets the minimum requirements of the Ordinance and Readmond Township recommended approval. Scott supported the motion which passed on the following roll call vote: Yes; Harris, Jones, Scott, Laughbaum, Gargaro. No; Blanchard, Derrohn. Pass: Eby. Absent: vacant seat.

3. CASE #87-00 Scott Fettig & Genene Radle, SPECIAL USE PERMIT, Home Occupation, 7649 Mission Road, Section 12, Littlefield Township.

A request by Scott Fettig and Genene Radle for a Special Use Permit for a Home Occupation for a lawn maintenance, landscaping and nursery business at a residence located at 7649 Mission Road, Section 12, T35N-R4W, Littlefield Township. The property is zoned FF-1 Farm Forest and is tax parcel number 24-07-17-12-300-026. The request is per Section 2102-12 of the Zoning Ordinance.

Coon explained the request by the applicant for landscaping, lawn maintenance and a nursery business. The Site Plan shows an area for growing plants and trees and storing stones, wood chips and mulch. The site is 1.5 acres and should
generate 2 vehicles per day delivering mulch and wood chips. Littlefield Township recommended approval subject to conditions: no outside storage, no off premises employees and business equipment to be stored inside a building. There was no public comment and the applicant was not present.

Jones asked how a landscape business can operate without hazardous waste? Harris felt that a nursery business cannot operate without creating toxic waste material.

Jones made a motion to table the request. Derrohn supported the motion which passed on the following roll call vote: Yes; Harris, Jones, Scott, Blanchard, Eby, Derrohn, Gargaro. No; none. Pass; Laughbaum. Absent; vacant seat.

4. CASE #83-00 Damien Farrell Design Group, PRELIMINARY PUD-1, MIXED USE, 3654 US-31 North (Windjammer Marina Property), Section 18, Littlefield Township.

A request by Damien Farrell Design Group for Crooked Lake Properties LLC for a Preliminary Mixed Use PUD-1 Planned Unit Development Overlay District, to apply to the following property: two (2) tax parcels being numbered 24-07-17-18-451-005 and 24-07-17-18-451-004 being some 3.22 acres bordered by US-31 to the north for some 52', Cincinnati Avenue to the west, Crooked Lake for over 300' and Crooked Lake Yacht Club to the east. The parcel is located in Section 18, T35N-R4W, Littlefield Township, the Windjammer Marina property. The requested mixed uses include R-2B District uses (multiple family), B-1 District uses. The request is per Ordinance Section 1800.

The applicant has requested tabling. The case was deferred until the next regular meeting.

5. CASE #89-00 Daniel Hoggard, SPECIAL USE PERMIT, Land Development Standards, Channel Road, Section 21 & 28, Springvale Township.

A request by Daniel Hoggard for a Special Use Permit for Land Development Standards to create five lots on property located on Channel Road, Section 21 & 28, T35N-R4W, Springvale Township. The property is zoned SR-2 Scenic Resource along Channel Road to a depth of 400' and FF-2 Farm Forest on the remainder of the property. The tax parcel numbers are 24-14-17-28-100-008 and 24-14-17-21-300-030. The request is per Section 2102-14 of the Zoning Ordinance.

Coon reviewed the request for a land development project. A change in the lot configuration was made since the last review, but the number of lots remains at five. All lots now meet the minimum standards of the ordinance. Springvale Township has recommended approval.

There was no public comment and the applicant was not present.

Scott indicated that at the Township meeting, neighbors seemed pleased with the proposal.

Scott made a motion to approve Case #89-00, Daniel Hoggard, Special Use Permit, Land Development Standards, Channel Road, Section 21 & 28, Springvale Township to create five lots as indicated in the survey dated 12/18/00PZ because it meets the requirements of the Ordinance and the Township recommended approval. Blanchard supported the motion which passed on the following roll call vote: Yes; Harris, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; vacant seat.

6. CASE #84-00 Emmet County Planning Commission, TEXT AMENDMENTS.

At the December regular meeting, The Planning Commission deferred review of the Case until the Annual Meeting. The date of the Annual Meeting was later set for January 27, 2001 at 9:00 am at the Little Traverse Township Hall.

7. CASE #44A-92 Blissfest Music Organization, Preliminary Mixed-Use PUD-1 Overlay, 3695 Division Road, Section 12, Readmond Township.

A request by Blissfest Music Organization for a Preliminary Mixed-Use PUD-1 Overlay to apply to property located at 3695 Division Road, Section 12, T37N-R6W, Readmond Township. The property is zoned FF-2 Farm Forest and is tax parcel numbers 24-12-08-12-100-001 & 24-12-08-12-100-006. The PUD also includes approximately 20 acres of tax parcel number 24-12-08-12-100-007 and approximately 5 acres of tax parcel number 24-05-08-01-300-012 (which lies in Section 1, T38N-R6W, Cross Village Township). The proposed land uses include: outdoor educational/entertainment events, fund-raising events (which include accessory retail sales, concessions and workshops), common area, auxiliary camping, permanent camping, and parking areas. The request includes permission for event sizes, the number of events and the days/hours events may take place. The request is per Article XVIII of the Zoning Ordinance.

Putters explained the case which has created substantial interest. There was a meeting in the Readmond Township Hall, and more are scheduled. This request will probably need to be heard at a Special Meeting because of the number of people involved. The Blissfest has been operating under a Special Use Permit approved for the Great Lakes Outdoor Center with Howard Rice as applicant. The permit for the outdoor center included a staging area for trips and limited camping. Blissfest was mentioned as an annual event in the summer. The festival has grown. The request now is to expand not only the past activities, but allow additional activities. These include smaller workshops involving folk music, education and camping.

Letters both pro & con have been received, about equal in numbers. Putters explained how Blissfest got there originally. There is no “special events ordinance” so the Planning Commission is being asked to approve the proposal under zoning. The impacts have increased as the event has grown. Planning staff encouraged a PUD, allowing for the mixed uses. The current zoning is FF-2 Farm Forest and activities like Blissfest could be allowed by the PUD. On-site services would
need to be provided. Future development includes creating craft items, buildings built for sanitary facilities and showers, educational use, a campground with both permanent and temporary camping.

An existing conditions map was shown as well as a preliminary PUD master plan. The plan calls for continued use of 20 acres of leased land within Readmond Township and five acres in Cross Village Township. The main event would be conducted on 13 acres. Camp sites and parking areas were also shown. If the leased area was not available, the Blissfest Music Organization site could use more of the 80 acre parcel owned by Blissfest. The plans show more detail than what is required in a Preliminary PUD Master Plan. After a Final PUD, Site Plan Review would be necessary. Minimum requirements for review of the PUD were shown. Future uses, by stages, were also shown. A memorandum listing pros & cons and a memo regarding possible actions of the Planning Commission were discussed. Pros and Cons could be used in a motion and these are guidelines that can be changed.

Harris stated that no action will be taken at tonight’s meeting. The Planning Commission intends to hold a special meeting to consider this request.

Jim Gillespie, Executive Director of Blissfest, explained that the festival has been on the property for 13 years. They have tried to play by the rules. They contacted the township and operated under the Special Use Permit granted for Great Lakes Outdoor Center, with no specific standards. Gillespie stated that when the additional 80 acres was purchased in 1998, he talked with Planning and Zoning and was advised that in the event of complaints, review may be necessary. Because of complaints in the neighborhood, the County and Township requested a long term plan. An important point to consider is that the plan will protect open space. The NW 40 acres is proposed to be used as auxiliary camping during the Blissfest annual event and perhaps 1-2 other events. They are proposing no building on the 80 acres, the property will not be fragmented, open space will be maintained. They plan to concentrate activities on the old farmstead (original 40 acres) where there is existing infrastructure.

The plan is for a phased-in approach. Phase 1 includes approval of the site plan for the annual Blissfest, negotiating size and scope of the festival, numbers of campsites and conditions. Phase 2 adds two smaller events 1/4 size of the annual Blissfest. Phase 3 adds 50 permanent campsites and the addition of auxiliary buildings and a pavilion for dancing. Phase 4 concludes the development with 90 drive-in plus 20 walk-in camp sites and a camp store. Detailed site plans are being developed. The Readmond Township Planning Committee plans to hold public meetings on January 9th & 16th, then make a recommendation to the Township Board.

The Blissfest Music Organization is a longstanding charitable organization which promotes cultural heritage. Throughout the process, Gillespie has been hearing from the opposition. Blissfest is trying to bring the facts to the table. Blissfest is a legitimate 503(c) organization. If the PUD were denied then there is no guarantee that the property would remain open. The plan designates open space, including a conservation easement. Gillespie distributed a written response regarding the concerns of the opposition.

Harris cited Article 21, Section 2100 Special and Conditional Land Uses, the preamble, item number 1. This will be a portion of the Ordinance under which the request will be reviewed.

John Leithauser, a Bliss Township resident, stated that the Planning Commission needs to note that the nature of the use has not changed, however, the scope of the use has. The Blissfest has been at the site for 13 years. The activities have been going on since the beginning. Recreation Farms are allowed in Farm Forest Zoning Districts. Principal uses allowed in FF Zones include golf clubs and under special use, resorts, resort hotels and other uses that would allow year round use with far greater impact than the once per year activity. This proposal would lock-in low impact uses, four days per year, with no structures on the land. Blissfest use would best preserve the rural character of the land. Large parcels are developed for maximum profit, split and sold. He quoted the County Zoning Enabling Act MCL 125.227a “A zoning ordinance or zoning decision shall not have the effect of totally prohibiting the establishment of a land use within a county in the presence of a demonstrated need for that land use...” According to Leithauser, the need for the use is clear. It is good planning to allow the use which would lock-in a low impact use. It is a necessary use in the area. Similar uses have been approved. He stated that a Special Use Permit for Monica Gruler, Wellness Center, where groups are brought in for conferences is a similar use.

Bob Ross, Center Township resident, read a letter into the minutes. He stated that four days may be low impact, however, he would not describe 10 weekend events as low impact. The Blissfest event grows and extends throughout the summer and with permanent campsites, people will linger throughout the summer. Another angle to consider is moving the use to the Emmet County Fairgrounds. He feels there is no compelling reason to change the zoning of the rural area. The County fairground site has police, fire, and medical infrastructure which could be beneficial to the Blissfest and to the County, still allowing Blue Grass style music.

Mark Hilal, attorney representing people who are opposed to Blissfest, read a letter explaining the proposal for a Special Use Permit originated by Howard Rice, which was approved. The letter from the file (dated 4/17/92) explained the intention of the Great Lakes Outdoor Center. There was no mention of the Blissfest in the letter. It was for outdoor
education solely. The minutes of the Planning Commission were read in part. There is no special use permit allowing the Blissfest, but Blissfest was mentioned in the discussion of the case.

All that’s happening is that the neighbors have put up with it and they are no longer happy. It is not allowed and there is no authority for the Blissfest. Jessica Peterson’s letter was mentioned and using the fairgrounds was suggested. The fairground is designed for entertainment purposes. Infrastructure is available. He submitted a copy of a petition with 172 signatures and a location map of residents in the area; color coded as to their opinion regarding Blissfest. He explained the manner in which signatures were obtained.

Hilal stated that the fundamental reason for zoning is to control land uses and the impacts they have on neighbors. Society has a right to control them. He understands that there are township meetings at Readmond Township. Cross Village Township may have some input. He asked the Commission to understand that there is considerable concern. He would like to know when concerned citizens will be heard.

Gretchen VanLoozen, Center Township resident, lives about 3 miles from the Blissfest on a dirt road. She understands the concerns. She is also concerned about possible litigation. They are in a neighborhood. There are relationships between neighbors. She is a very busy worker spending summertime working in her family greenhouse. Her opportunity to see neighbors and relax is a four day weekend in the summer at the Blissfest. It is like a family reunion. As a newcomer, she has been welcomed into the area. She cares about Blissfest which is one reason they came to the area. She hopes that they can step back and come to an agreement. Neighborhood repairing needs to take place. They need to work with each other to make sure needs are met to accommodate each other. Blissfest is a community resource and an asset to the community. VanLoozen added that the community does not need 5000 more people in Petoskey, at the fairground. Local people want a vacation. She has heard of too much partying and drinking, but felt allowing people to stay and camp rather than drive would be safer. She feels safe with her son at the Blissfest. The community needs to reach out to resolve problems.

Hilal was asked if he were opposed to camping? He stated that the people he represents are opposed to Blissfest as it exists and the proposed expansion PUD project. They would like to see the Blissfest cease and desist. What is the overwhelming objection? Intrusion of the quiet use of their property. Days and weeks prior and after the Blissfest people camp and setup for the event. They are opposed to the activities shown in Jessica Peterson’s photographs, which accompanied a letter sent previously. It is cumbersome with a large number of people, drunk driving and minors drinking. They are looking into the impact on the infrastructure and complaints received by local police agencies and EMS. Hilal stated that the neighbors would like to tell their stories about the types of intrusions they are encountering. He added that Amendment #10-198 eliminates camping grounds from the principal uses allowed. Camping, however, is a Special Use.

Eby stated that Section 801 is the section that should be referenced when reviewing the request. He feels that it doesn’t fall under Section 800. Land use is the issue. Gargaro asked if the PUD were approved, would it run with the land forever? Yes. A future owner could use the property subject to the same terms and conditions as approved. The PUD could be amended to change the uses. Eby reminded the members about similar requests for Musicland on Ely road and Marian Peace Center in Springvale Township.

Kathy Abbot stated that leased land can be included as part of a PUD. The lessor should sign off, regardless of who the applicant is. Some jurisdictions require an affidavit from the property owner.

Jones asked if something had been approved some place else, does that mean it would have to be approved here? If the cases were identical, it would need to be approved.

Laughbaum asked Abbott about the right to peaceably assemble. Abbott responded that the Planning Commission reviews land use. Laughbaum then asked if the County has anything in the ordinance regarding groups? Abbott stated that the county has limited powers of regulation regarding groups. The regulation of assembly is outside the county’s area of jurisdiction. It is not within the county’s ability to regulate gatherings, however, townships can.

This is a land use issue which will require further review. A Special Meeting was set for Thursday, February 8, 2001 at 7:30 p.m. at Center Township Hall. This meeting will be for Blissfest only.

Pat Masuch, property owner at the corner of State and Levering Roads, and a Blissfest Board member is new to the area. She became involved because of her belief in their mission. They intend to keep the flavor of the festival as a family affair. They share concerns of the citizens and are working to rectify them in order to keep the festival as a family fun festival. One concern is that a public forum polarizes the community. They have no desire to have a larger festival. Creating the PUD caused a wish list, to cover all of the events and activities that the organization would like to see in the
future. The Blissfest Music Organization is a membership driven organization. Children and grandchildren can run free
without worry during the festival. They're not new kids on the block, they have been doing this for 20 years without a
major incident. Drunkenness happens during all times of the year. Drunk people come into her yard every once in a
while. The request is a responsible use of the land. The By-Laws state that assets are to be passed to another
organization. This is insurance that the land will stay open. She asked that the Planning Commission allow the use to
continue based on past performance.
Barbara Walsh, lives 1 mile from the Blissfest site. She stated that she has put up with it for 13 years because she
thought they had a right. Now the proposal is for events 10 weekends per summer. She likes living in the country.
During the Blissfest, she can’t let her dogs out and can’t sit on the front porch. She asked that the Planning Commission
come and see how peaceful it is.
Dave Trautman, who lives in Cross Village Township, commented that the event brings hundreds of thousands of dollars
into the community. The Preliminary PUD is the beginning of a negotiation process. The Blissfest Organization wants to
negotiate. They want to sit down with neighbors and meet on common ground.
John Leithauser said that it is clear that the use should be reviewed under Section 801. The Planning Commission is
splitting hairs when comparing the use to a country club.
Activities of this nature tend to be victims of their own success. They are having success. The Planning Commission is
to review their plans and how it fits into the area as a land use.
Catherine Sherman, Harbor Springs resident who is moving to Cross Village and is a member of the Blissfest Music
Organization board, stated that the festival is the only fund-raising activity which allows them to own the land. If the
land were not used for the festival, it would have to be sold and it could be subdivided. They give a lot to the
community. If the Blissfest is not allowed, the community loses.
Hilal asked for clarification of the meeting. It will be held February 8th, 2001 at Center Township Hall whether or not
Readmond Township has recommended a decision.
Several letters have been received. The Planning Commission has been provided with a summary of each letter.
There was discussion regarding the number of participants involved, can it be limited? It may be able to be limited as a
condition of the PUD and land use conditions. Also, through the setbacks, parking spaces and available camp sites.
Abbott will research the feasibility of limiting the number of participants and issue an opinion to the Planning
Commission. It may be possible by attaching such conditions to a land use. If related to the use of the land, it may be
supportable.
Jessica Peterson asked if the type of music can also be part of the conditions? No.
The case was deferred until the Special Meeting, February 8, 2001 at Center Township Hall, 7:30 p.m.
At approximately 9:15 p.m., a 15 minute break was taken.
8. CASE #93-00 Verneita M. Granger, Special Use Permit, Land Development Standards, 5015 Valley Road, Section 5,
Littlefield Township.
A request by Verneita M. Granger for a Special Use Permit for Land Development Standards on property located at 5015 Valley
Road, Section 5, T35N-R4W, Littlefield Township. The property is zoned FF-2 Farm Forest and is tax parcel number 24-07-17-05-
200-001. The request is to create five (5) parcels on approximately 60 acres per Section 2102-14 of the Zoning Ordinance.
Coon presented the request for creating five lots on a 66 acre parcel. Each lot is approximately 10 acres in size.
Littlefield Township recommended approval.
Granger stated that she wants to split the property for her daughters. Lots have been recorded. She did not know the
procedure for land division.
Harris asked if a survey is required for a land division. Putters felt that it would be required by the township.
Additionally, a change has just been made to the lot configuration. The new lots meet the requirements of the ordinance.
There was some discussion about the need for a professional drawing.
Then Derrohn made a motion to approve Case #93-00, Special Use Permit for Land Development to create five parcels
as indicated with the changes on the parcel map created by staff because the lots are 10 acres in size, the township
recommended approval, the conditions of the ordinance are met and subject to the changes being accurately redrawn and
submitted to the Office of Planning and Zoning. Gargaro supported the motion, which passed on the following roll call
vote: Yes; Harris, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; vacant seat.
9. CASE # 94-00 Caroline Wolf, Special Use Permit, Home Occupation, 7650 E. Mitchell Road, Section 8, Springvale
Township.
A request by Caroline Wolf for a Special Use Permit for a Home Occupation on property located at 7650 E. Mitchell Road, Section
8, T34N-R4W, Springvale Township. The north half of the property is zoned FF-1 Farm Forest, the south half is zoned FF-2 Farm
Forest and is tax parcel number 24-14-20-08-200-047. The request is to operate a hair salon at the residence, per Section 2102-12 of
the Zoning Ordinance.
Putters explained the request for a home occupation/beauty shop using the site plan. The business would be operated by the resident with no outside employees. The residence is on a flag lot and an addition behind the garage is to accommodate the beauty shop. Springvale Township recommended approval and it appears to meet the standards of the ordinance.

Gargaro made a motion, supported by Scott, to approve the Special Use Permit for a Home Occupation to operate a beauty shop at 7650 E. Mitchell Road, Section 8, Springvale Township because the Township recommended approval, it will have minimal impact, it will not generate high traffic, there have been no neighbor complaints and the applicant understands the standards of the ordinance regarding a Home Occupation. The motion passed on the following roll call vote: Yes; Harris, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; vacant seat.

10. CASE #95-00 Mark Stan, for Gary Truman, Special Use Permit, Land Development Standards, 9421 Pickerel Lake Road, Section 34, Springvale Township.

A request by Mark Stan, for Gary Truman, for a Special Use Permit for Land Development Standards to create a fourth and fifth land division on some 27 acres located at 9421 Pickerel Lake Road, Section 34, T35N-R4W, Springvale Township. The property is zoned FF-1 Farm Forest and is tax parcel number 24-14-17-34-400-019. The request is per Section 2102-14 of the Zoning Ordinance. Coon explained that Mark Stan is representing the property owner who would like to create two parcels on 27 acres. The reason for review is that the land division creates a fourth and fifth lot within 10 years. The lot lines are arranged to keep the existing buildings on the smaller parcel and angled to meet the setbacks from the buildings. The lots meet the minimum standards of the Zoning Ordinance. Springvale Township recommended approval.

Scott stated that the access to Pickerel Lake Road is 132'. He questioned how the 4:1 ratio is reviewed through land division on irregular lots. Farm Forest requires 150' width at the building line. It is a loophole allowing properties to be used in a way outside of the intent of the Ordinance. It allows “bowling alley” lots to be utilized for several dwellings because the private road is used for “frontage”.

Ed Jones owns property to the west of the proposed development. He is concerned with the land splits creating postage sized pieces of property. He originally bought 20 acres and has seen lots being sold off as much as possible creating small lots in the back. He doesn’t see how that is farm forest.

Jones asked about the crooked lines in the survey. The farmhouse is there, and the line was made to go around the residence, to meet the setback.

Scott made a motion to approve Case #95-00, Mark Stan for Gary Truman, Special Use Permit for Land Development at 9421 Pickerel Lake Road, Section 34, Springvale Township, because it meets the standards of the Ordinance and the Township recommended approval. Gargaro supported the motion which passed on the following roll call vote: Yes; Harris, Jones, Scott, Blanchard, Laughbaum, Eby, Derrohn, Gargaro. No; none. Absent; vacant seat.

VII Other Business

• Annual Meeting

It was agreed that the annual meeting would be held on January 27, 2000, at Little Traverse Township Hall, beginning at 9:00 am. Harris appointed James Scott & Katie Derrohn as the Nominating Committee.

VIII Adjournment

Chairperson Harris declared the meeting adjourned at 10:05 p.m.

_________________________________ ________________
James Scott, Secretary Dated