EMMET COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY SEPTEMBER 5, 2019
7:30 PM
EMMET COUNTY BUILDING
COMMISSIONER'S ROOM
200 DIVISION ST
PETOSKEY, MI 49770

AGENDA

I Call to Order and Attendance

II Minutes of August 1, 2019

III Cases

CASES FROM PREVIOUS MEETINGS

1. PSPR19-006 Jim Clarke for The King House Association, SITE PLAN REVIEW – Historical Restoration, 144 N Lamkin Dr, Section 36, Readmond Township (Applicant has requested postponement)

2. PREZN19-03 McBride Development (Flynn & Behan owners), REZONING – R-2 to B-2, 1597 & 1663 N US 31 Hwy, Section 27, Bear Creek Township

NEW CASES

3. PSUP19-009 John Plichta, SPECIAL USE PERMIT-WINERY/TASTING ROOM, 8450 Channel Rd, Section 21, Springvale Township - WITHDRAWN BY APPLICANT

4. PSPR19-007 John Hover for Highlander Golf LLC, SITE PLAN REVIEW AMENDMENT-PAVILION, 2500 True North Dr, Section 13, Friendship Township - TOWNSHIP REQUESTED POSTPONEMENT

5. PSUP19-010 Ben Beachy, SPECIAL USE PERMIT-Selective Processing & Production Facility, 2615 Gregory Rd, Section 14, Maple River Township

6. PREZN19-04 Walter D Kring for Debra L Kring Trust, REZONING FROM R-2/B-1/PUD-1 to B-2, 2001 US 31 N Hwy, Section 26, Bear Creek Township

7. PSUP19-011 Michael Topley, SPECIAL USE PERMIT-Accessory Building as main use, 2232 Country Club Rd – adjacent vacant lot, Section 33, Bear Creek Township

IV Public Comments

V Other Business
   1. Housing – Density – Minimum Floor Area
   2. Enforcement Report
   3. Emmet County Resilient Master Plan 2020 – survey completed

VI Adjournment
<table>
<thead>
<tr>
<th>Meeting ID</th>
<th>Applicant Details</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSPR19-006</td>
<td>Jim Clarke for The King House Association</td>
<td>• Applicant has requested postponement to address concerns discussed during the August meeting.</td>
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<tr>
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<td>SITE PLAN REVIEW - Historical Restoration</td>
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<td>144 N Lamkin Dr</td>
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<td>Section 36</td>
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<td>Readmond Township</td>
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<td>PREZN19-03</td>
<td>McBride Development (Flynn &amp; Behan owners)</td>
<td>• No new information.</td>
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<td>REZONING – R-2 to B-2</td>
<td>• Second hearing.</td>
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<td>1597 &amp; 1663 N US 31 Hwy</td>
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<td>Section 27</td>
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<td>Bear Creek Township</td>
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<td>PSUP19-009</td>
<td>John Plichta</td>
<td>• Applicant has withdrawn his request.</td>
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<td>SPECIAL USE PERMIT - WINERY/TASTING ROOM</td>
<td>• Haggard's Plumbing and Heating sent letter of support.</td>
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<td>8450 Channel Rd</td>
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<td>Section 21</td>
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<td>Springvale Township</td>
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<tr>
<td>PSPR19-007</td>
<td>John Hover for Highlander Golf LLC</td>
<td>• Township has requested postponement.</td>
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<td>SITE PLAN REVIEW AMENDMENT - PAVILION</td>
<td>• Township PC and Board communications enclosed.</td>
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<td>2500 True North Dr</td>
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<td>Section 13</td>
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<td>Friendship Township</td>
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<td>PSUP19-010</td>
<td>Ben Beachy</td>
<td>• Township has recommended approval.</td>
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<td>SPECIAL USE PERMIT - Selective Processing &amp; Production Facility</td>
<td>• Township recommendation enclosed.</td>
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<td>2615 Gregory Rd</td>
<td>• Haggard's Plumbing and Heating sent letter of support.</td>
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<td>Section 14</td>
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<td>Maple River Township</td>
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<tr>
<td>PREZN19-04</td>
<td>Walter D Kring for Debra L Kring Trust</td>
<td>• Township has recommended approval of rezoning to B-2 and removal of the PUD-1 overlay.</td>
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<td>REZONING FROM R-2/B-1/PUD-1 to B-2</td>
<td>• Approval is by the Board of Commissioners.</td>
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<td>2001 US 31 N Hwy</td>
<td>• First hearing.</td>
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<td>Section 26</td>
<td>• Haggard's Plumbing and Heating sent letter of support.</td>
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<td>Bear Creek Township</td>
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</table>
| PSUP19-011 | Michael Topley, SPECIAL USE PERMIT-Accessory Building as main Use
Country Club Rd vacant lot Section 33 Bear Creek Township |
| --- | --- |
|  | • Township has recommended approval with conditions.  
• Updated Request and Location map and staff report enclosed.  
• Haggard's Plumbing and Heating sent letter of support. |
Hi Tammy

As you are aware, the County Planning Commission voted at their August 1, 2019 meeting to postpone consideration of the King House Association's request to change the designation of the King House lot to Historical Restoration citing the need for more information specifically how future parking requirements would be met.

We are not able to prepare the information requested in time for the September meeting of the Commission and respectfully request a deferral for further consideration of our request until the Commission's October 3, 2019 Meeting.

Regards Jim Clarke, Chair
King House Association
Friendship Township Planning Commission
Meeting Agenda, 8/26/19, 7:00 p.m. Friendship Twp Hall

Call to order at 7:05pm by Chair Donahey

Present: Cullip, Donahey, Kurburski,
Absent: MacGregor
Public present: Jean Schlappi

Approve minutes of 4/22/19 meeting. Kurburski motion to approve, Cullip second, All in favor. Minutes stand as written.

New business: True North Site Plan Amendment request
CASE #PSPR19-007 A request by John Hover for Highlander Golf LLC (True North Golf Club) for an amendment to the Site Plan to allow a pavilion at 2500 True North Dr in Section 13 of Friendship Township. The property is tax parcel 24-06-12-13-100-015 and is zoned FF-2 Farm and Forest with a Planned Unit Development overlay. The request is to be reviewed per Article 20 of the Zoning Ordinance.

Kurburski made a motion (Cullip 2nd) to recommend to the township board a request that the county table CASE #PSPR19-007 due to inadequate information. 1. No evidence of indicated fire department approval. 2. Applicant indicated "No Lighting", will there be electrical. 3. What is the proposed pavilion's purpose and use? 4. This area appears to be a playground, what consideration has been taken with regards to pond/water area as it relates to safety issues. All in favor.

Discussion followed that many of the above questions could have been answered if:

1. A representative from Highlander Golf LLC had attended the meeting.
2. Paperwork had been submitted to the FTPC
3. Applicant had submitted written comment to the FTPC.

Old Business – None
Report from Trustee (MacGregor): None
Public comment: None
Adjourn at 7:45 pm
Next scheduled meeting September 23, 2019, 7:00 p.m.

Submitted by Mike Cullip, Secretary
Hi Tammy,

The Friendship Township Board meeting for September is Thursday, September 5th. In light of this and the recommendation by our township planning commission to table this matter due to inadequate information furnished by the applicant we would request that this matter be tabled until such time as sufficient information is furnished to allow our planning commission to make an informed recommendation.

thank you,

Janell Van Divner, Clerk

Virus-free. www.avg.com
Concerning Case #PSUP-010, the Maple River Township Board recommends approval of the request for a special use permit by Ben Beachy, with the addition of proposed screening of evergreen trees on the west end of the shop, on the road side.

Tammy Gregory
Maple River Township Clerk
REQUEST

PSUP19-011
A request by Michael Topley for a Special Use Permit for an accessory building as a main use on Country Club Rd, Section 33, Bear Creek Township. The property is tax parcel 24-01-16-33-400-017 and is zoned R-1 One and Two Family Residential. The request is to allow a 1,200 sq. ft. residential accessory building on the property without a main use per Section 22.01 of the Zoning Ordinance.

LOCATION
ZONING EVALUATION FORM  
Office of Planning and Zoning  
Emmet County, MI.  
UPDATED 8/29/2019

DATE:  08/21/2019          CASE #:  PSUP19-011

APPLICANT:  H MICHAEL TOPLEY

PROPERTY:  COUNTRY CLUB RD (vacant lot)

TOWNSHIP:  BEAR CREEK

REQUEST:  Special Use Permit – Accessory Building as a Main Use

FACTS:
- The property is zoned R-1 One & Two Family Residential.
- The property is 0.56 acres. The parcel is vacant. The property owner owns the adjacent parcel with a dwelling and a detached residential accessory building.
- The proposed building meets the setback standards of the Zoning District (Front = 30’ (from Division Road R-O-W); Side = 25’ (south); Side = 140’ (east); Front 85’ (from Country Club Rd R-O-W). Required setbacks: Fronts = 30’; sides = 10’.
- Accessory building permitted size = 1,200 sq. ft.; accessory building size proposed = 1,200 sq. ft.
- Location partially screened from Division and Country Club roads with trees and topography.
- Proposal to use existing access from adjacent lot.
- Applicant shows location for a future residence on the property.

ZONING ORDINANCE STANDARDS:
Section 26.16  Customary Accessory Building (greater than 200 square feet) without a Main Use

26.16.1 Residential Zoning Districts

Except as otherwise regulated, customary accessory residential buildings may be constructed without the requirement for a main building in all Zoning Districts subject to a Hearing and approval of the Site Plan by the Planning Commission when the following conditions are met:

A. The structure is sited in such a manner as to permit the construction of a legal main use at a future time, but shall be subject to the size limitations stated in Section 22.01. For these regulations, rear yard shall refer to a location 100 feet or deeper from the front property line, which is also the road right-of-way line. A plot plan shall be submitted showing where a future dwelling could be located on the parcel that, if built, would comply in all respects with this Ordinance.
This standard is met. There is ample area for a main use (dwelling) – as shown on the plot plan. Owner does not plan a dwelling on the property – but shows house to show compliance with this standard.

B. The structure is constructed of materials and is of a design that is not so at variance with existing dwellings in the immediate vicinity as to have a devaluing influence, in the opinion of the Planning Commission. The applicant shall provide elevation sketches and floor plans of the proposed structure in order to assist in the determination of architectural variance.

B. No building details provided. Applicant offered the following during the Bear Creek Township Planning Commission meeting: single story with pitched roof and height limitation, no metal siding (siding to match house), and shingled roof.

A. The structure may be required to be located in such a manner as to attain natural screening by existing vegetation, or plantings may be required to at least partially screen the use from the view of adjoining properties and/or public roads.

C. Structure will be partially screened from public view based on location, topography, and existing vegetation. Township recommended condition that the trees in the setbacks be retained to the greatest extent possible to offer screening.

A. All uses of the property must be in keeping with the residential or recreational use character of other properties in the immediate vicinity.

D. Building use proposed to be for residential/personal use.

A. The applicant shall record an affidavit with the Register of Deeds stating the proposed use of the building.

E. Affidavit has been filled out – will need to be filed with Register of Deeds.

Draft Motions:

To approve Case #PSUP19-011, 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 Aug 12 2019 because the standard of Section 26.16.1 have been met based on the facts presented in this case, the building meets the size standards of the Ordinance and on condition that the building be used for personal use, an affidavit of use be filed with the Register of Deeds prior to issuance of a zoning permit, the siding will not be metal, the roof will be shingled, the side walls will be no greater than 12 feet with a 6:12 pitch, and the trees in the front yard setbacks must be retained to the greatest extent possible to screen from the public roads, and Bear Creek Township recommended approval (other conditions or statement of facts may be inserted here).

To deny Case #PSUP19-011, 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 Aug 12 2019 for the following reasons: (list reasons).