EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY FEBRUARY 4, 2021, 7:00 P.M.
ZOOM MEETING

MEMBERS PRESENT: John Eby, Charles MacInnis, James Scott, Lauri Hartmann, Tom Urman, Toni Drier, Kelly Alexander (arrived late: 7:24pm), David Laughbaum, Brian Bates

MEMBERS ABSENT: None

STAFF: Tammy Doernenburg, Monica Linehan, John Iacoangeli, FAICP, CNU-A, LEED AP, Principal, Beckett & Raeder

I Call to Order and Attendance

Chairman Eby called the meeting to order at 7:00 p.m.

Present – all via Zoom within Emmet County: Eby-Maple River Township, MI, Drier-McKinley Township, MI, Scott-Springvale Township, MI, Urman-Bear Creek Township, MI, Alexander-Wawatam Township, MI, MacInnis-Little Traverse Township, MI, Hartmann-Pleasantview Township, MI. Laughbaum, Pleasantview Township, MI, Bates, Bear Creek Township, MI

Brian Bates was introduced as the new Planning Commission member. He was An Emmet County Zoning Board of Appeals member and has resigned that position.

II Minutes of January 14, 2021

MacInnis made a motion, seconded by Urman, to approve the minutes of the January 14, 2021 meeting as presented. The motion passed unanimously by voice vote of the members.

III Cases

There are a number of cases postponed this month. Doernenburg gave a quick update on each and stated that she has sent reminders to all postponed cases. Doernenburg suggested having a discussion about the length of time some of the cases have been on the agenda at the end of the meeting. Eby agreed.

1. PSUP20-013 Richard Hitz for Eitel Dahm, SITE PLAN REVIEW - Shoreline Bluff Protection Zone, 2082 S Lake Shore Dr, Section 13, Friendship Township

Legal Notice: A request by Richard Hitz for Eitel Dahm for Site Plan Review at 2082 S Lake Shore Dr, Section 13, Friendship Township. The property is tax parcel 06-11-13-100-003 and is zoned SR Scenic Resource. The proposal is to create an access path for shoreline revetment construction on the shoreline bluff. The review is per Emmet County Zoning Ordinance Section 22.10 Shoreline Bluff Protection.

Packet Items: No new info

The applicant has requested postponement for this case. This case has been on our agenda since August 2020.

2. PSUP20-014 Richard Hitz for Gregg Hartemeyer, SITE PLAN REVIEW - Shoreline Bluff Protection Zone, 2078 S Lake Shore Dr, Section 13, Friendship Township

Legal Notice: A request by Richard Hitz for Gregg Hartemeyer for Site Plan Review at 2078 S Lake Shore Dr., Section 13, Friendship Township. The property is tax parcel 06-11-13-100-002 and is zoned SR Scenic Resource. The proposal is to create an access path for shoreline revetment construction, remove the failing retaining wall, and install helical piers - all on the shoreline bluff. The review is per Emmet County Zoning Ordinance Section 22.10 Shoreline Bluff Protection.

Packet Items: No new info

The applicant has requested postponement for this case. This case has been on our agenda since August 2020.
3. **PSUP20-018 Elmer’s Real Estate Company LLC, SPECIAL USE PERMIT/Site Plan Amendment, 7537 Dekruif Rd, Section 23, Carp Lake Township**

   **Legal Notice**: A request by Tom Wolf for Elmer’s Real Estate Co, LLC for a Special Use Permit amendment to the site plan at 7537 Dekruif Rd in Section 23 of Carp Lake Township. The property is zoned FF-2 Farm and Forest and is tax parcel 03-06-23-300-005. The proposal to amend the resource extraction operation will be reviewed per Articles 8, 20, 21 and 22 and Section 26.10 of the Zoning Ordinance.

   **Packet Items**: Current approved site plan and permit language, phase plan, Email requesting postponement

   The applicant is researching easements on the property. They have requested postponement for this month. This case has been on our agenda since November 2020.

4. **PSPR20-012 Mary Beth Carolan, SITE PLAN REVIEW – Cabin Court, 4495 Larks Lake Rd, Section 7, Center Township**

   **Legal Notice**: A request by Terrance Carolan for Mary Carolan for Site Plan Review for a cabin court at 4495 N Larks Lake Road in Section 7 of Center Township. The property is tax parcel number 24-04-09-07-400-003 and is zoned B-1 Local Tourist Business. The request is per Section 10.01 and Article 10 of the Zoning Ordinance.

   **Packet Items**: Letter from Center Township, Letters from Paula/Andrew Abaham, Carrie Ketterer/Hadley Putnam with support signatures, Deborah Hindle, email requesting postponement

   The applicant has requested postponement for this month to give time to revise the site plan in response to the township review and neighbors’ concerns. Doernenburg stated that they are meeting with ECRC tomorrow. This case has been on our agenda since November 2020.

5. **PSUP20-020 David Coveyou, SPECIAL USE PERMIT & SITE PLAN REVIEW – Campground, 4160 US 131 Hwy, Section 30, Bear Creek Township**

   **Legal Notice**: A request by David Coveyou for a Special Use Permit for a campground and accessory uses on a commercial farm to include social events on properties located within Sections 19 and 30 of Bear Creek Township. The property is zoned FF-1 Farm and Forest and includes the following parcels: 24-01-19-30-100-006 (4160 US 131), 24-01-19-30-030-011 (3805 Cemetery Rd), and 24-01-19-30-012 (vacant). The reviews will be per Articles 8, 19, 20, 21, 22 and Sections 26.29 and 26.50 of the Zoning Ordinance.

   **Packet Items**: Fire Dept letter, Email from Denny re: Resort Twp, Email re Greg Rd from ECRC, Site photos, 11.13.20 zoning evaluation, Email from Eric Grandstaff, overall site plan revised, elevation concept graphics, BCPC minutes

   The applicant has requested postponement on this case to work through the Road Commission and MDOT issues. We have not received new information.

6. **PPUDF20-07 John Plichta, PRELIMINARY PLANNED UNIT DEVELOPMENT AMENDMENT, 8450 Channel Rd, Section 21, Springvale Township**

   **Legal Notice**: A request by John Plichta for a Planned Unit Development amendment for 8450 Channel Rd, Section 21, Springvale Township. The property is zoned Planned Unit Development (PUD) and is tax parcel 24-14-17-21-400-006. The request is to amend the PUD to modify the hours of operation, days of operation, number of events and number of attendees at events at the winery with tasting room approved in 2019. Review is per Article 17 of the Zoning Ordinance.

   **Packet info**: Request & location map, tax parcel map, application, impact statement, site plan review checklist, site plan, draft PUD agreement, elevations/floor plans, letters from Mary Ann Capone, Bill & Maggie Wyman, Mark & Mary Thompson, Bob Hoff, A Darooge, Mary Ling, Patricia Kuebler, Jill Buerkel, Haggards, Springvale recommendation, farm traffic info, FHV visit detail, zoning evaluation

   The township and applicant have both requested postponement. There were considerable public comments received and distributed. An amended proposal has been submitted and will be reviewed during the next township meeting. This case will be placed on the next meeting agendas, February 22 at the township and March 4 at the Planning Commission meeting. The case was postponed with no discussion.
7. PPUDF21-01 Chase Bank c/o John Johnson with Wesney Construction, FINAL PLANNED UNIT DEVELOPMENT & SITE PLAN REVIEW, 1580 Anderson Rd, Section 7, Bear Creek Township

Legal Notice: A request by Chase Bank by John Johnson of Wesney Construction for a Final Planned Unit Development (PUD and Site Plan review) at 1580 Anderson Road, Section 7, Bear Creek Township. The property is tax parcel 01-19-07-300-039 and is zoned R-1 One & Two-Family Residential and R-2 General Residential with a PUD-1 overlay. The request is to allow a drive-through ATM in the PUD. The review will be conducted per Articles 17 & 20 of the Emmet County Zoning Ordinance.

Packet Info: Request & location map, tax parcel map, application, site plan review checklist, impact statement, 2005 plan, renderings, 1/11/21 site plan, construction info, zoning evaluation

Doernenburg shared her screen with a PowerPoint presentation. This parcel is zoned R-1 with a PUD overlay. The request is for the final PUD and Site Plan review. This is in the vicinity of many other commercial uses such as Marshalls, JoAnn Fabrics, and other retail establishments. The aerial, location map, and the original site plan were shown. The proposed plan shows the location of the ATM which does displace some parking although it still meets the parking standards. The requirement for five vehicle stacking spaces is met. A snow storage graphic was provided. The light pole has to be 20’ or less. The lighting detail and signage would have to be reviewed by the Zoning Administrator. There is no new access proposed. The 50’ perimeter setback is maintained. There will be no additional impervious surface. The ATM structure is proposed to be 6’x13’x9.5’. There will also be a concrete separation between the vehicle lane and the non-motorized pathway. The township has recommended approval on condition that the lighting and signage meet the ordinance standards and reviewed by the Zoning Administrator and that the snow storage is addressed if it becomes an issue. A graphic of the proposed ATM was shown.

Ken White was present for the applicant and stated that changing the light pole is not an issue. They will be utilizing downward directed LED lights. John Johnson was also present for questions.

There was no public comment on this case.

Urman made a motion to approve PPUDF21-01, John Johnson of Wesney Construction for Chase Bank for a Final Planned Unit Development and Site Plan Review on property located at 1580 Anderson Road, Section 7, Bear Creek Township, tax parcel 01-19-07-300-039. Approval is to permit a drive-through ATM as shown on the Overall Site Plan and supporting plans all date stamped Jan 11 2021 because the standards for plan is in keeping with the Preliminary PUD Plan approved by the Board of Commissioners and the standards of Articles 17 and 20 have been met based on the facts presented in the case and because Bear Creek Township Planning Commission and Board recommended approval. Approval is on condition that the light pole be reduced to no greater than 20 feet and lighting details be provided and reviewed by the Zoning Administrator prior installation. The motion was supported by Hartmann and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Bates, MacInnis, Hartmann. No: None. Absent: Alexander
Doernenburg gave a general introduction and history for Hearthside Grove. The next three cases are for preliminary residential Planned Unit Development- Residential Overlays (PUD-RO) for certain sections of the development. The development exists and is accessed via US 31 and Bellmer Road (Monarch portion). In 2002 Woodfield Development was approved through Bear Creek Township during their interim zoning administration for a 347 unit manufactured home community. The zoning is a mix of I-1 Light Industrial and FF-1 Farm and Forest. The FF area of the original development is a 200’x500’open space area in the original plan which was shown. In 2007 the State notified staff that they had jurisdiction of the development and acknowledged the change in ownership and how the development would move forward. In 2015, the development was no longer licensed as a mobile home community. The State of Michigan (LARA) sent a notice in 2016 stating that they would retain jurisdiction. In 2018, 17 units (Monarch) were reviewed by this board as a special use permit for land development as they were never part of the approved mobile home community. All of these sites meet the minimum 1-acre lot size for FF-1. In 2020, a question as to the maximum size of buildings within the community was posed to the Zoning Administrator. Again, the State was asked for clarification on jurisdiction. The State then sent a letter indicating they no longer would retain jurisdiction and the development would be under local jurisdiction. Doernenburg stated that letters were sent to the development in December 2020 and that the option to move forward would be through the PUD residential overlay process. They are moving forward with that request now. All neighbors were notified as required. Public comment has been received and distributed to the Planning Commission members. Some supported all three of the requests, some supported two depending on the notifications they received. The names of those who commented were listed on the PowerPoint.

Alexander entered the meeting at 7:24 p.m.

8. PPUDP21-01 FOMCO, LLC, PRELIMINARY PLANNED UNIT DEVELOPMENT RESIDENTIAL OVERLAY, Orchis Tr & Monarch Way, Section 25, Bear Creek Township

Legal Notice: A request by Kirk Rose on behalf of FOMCO LLC for a Preliminary Planned Unit Development Residential Overlay for the development known as Monarch Condominium on Orchis Trail and Monarch Way accessed via Bellmer Road within Section 25, Bear Creek Township. The properties are zoned FF-1 Farm and Forest and include the following properties: Tax parcels 01-16-25-327-001; 01-16-25-327-101 thru 117, with the following addresses: 1830 Orchis Tr, 5185, 5153, 5121, 5089, 5077 Monarch Way; 1888, 1871, 1839, 1815 Orchis Tr; 4966, 4978, 5010, 5042, 5074, 5106, 5138, 5170 Monarch Way respectively. The proposal is to allow all FF Farm and Forest residential uses, recreational vehicle use as a primary or accessory use year-round, allow accessory buildings with or without a main use up to 2,400 sq. ft., and to allow outdoor storage with proper screening. No change in density is proposed. The request is per Article 16 of the Emmet County Zoning Ordinance.

Packet Info: Request & location map, tax parcel map, application, site plan review checklist, impact statement, Hearthside history info, PUD agreement, site plan, zoning evaluation,

This section of the development, known as Monarch, has infrastructure in place (roads, drainage system, and septic/drainfield system) but no structures have been constructed yet. The request for this section would be to allow RVs as a main use and allow accessory buildings of up to 2,400sf as
a main use. All other FF-1 standards would continue to be met. They are requesting a 35’ perimeter setback rather than 50’. There was considerable discussion about this at the township meeting. Screening was suggested. A final plan was received today and does show screening. Photos were shown. This area is 28 acres total and has 17 units. Units 1-9 have community septic systems. The other lots would have Health Department reviews as developed. The applicant is working with the Fire Department to meet their requirements. The graphic submitted today shows screening along the south property line. The Township has requested that the cases be postponed to wait for the fourth section to come in and be able to review the whole development together.

Kirk Rose, applicant, stated that he feels like they’ve now crossed off the screening concerns.

Laughbaum asked what the Future Use Land Map shows for this area. Doernenburg stated that it shows Industrial zones which does allow for manufactured home communities.

Urman asked how we should look at these tonight. Would there be separate motions on each? Eby stated that we are dealing with them one at a time. Urman stated that he doesn’t want to hold them up. Doernenburg stated that the township wanted to see the development as a whole rather than in parts. She explained that the paperwork to go forward with final approval has come in today and all of the parts will be in by the March meeting. Eby asked if they are related. Doernenburg stated that it will be one PUD overall. Drier stated that she was on Zoom during the township meeting and they just wanted to look at it as a whole. She suggests that we don’t move forward until the township has all of the pieces and information to review. Urman stated that there were concerns brought up with the south property line. He thinks that 35’ perimeter setback is sufficient. He stated that he doesn’t foresee any issues on this case to hold it up.

Denny Keiser, Township Supervisor, stated that it is set up so that the whole thing could be approved next month. Even if they were approved as preliminary, they would have to wait for a final approval next month. They would like the cases discussed so that if there are any issues, they can be brought up and addressed for resolution.

Laughbaum stated that we could look at this one tonight. Scott agreed that this one seems like it is separate from the rest and doesn’t see any reason to hold it up. Eby asked Rose what his thoughts are on postponement. Rose stated that he would like the case discussed so that any issues can be brought up. He knows that we normally have a recommendation from the township so once any concerns are discussed he can proceed with preliminary and final next month in the same meeting.

Eby stated that any public comment will be asked for after we get through all three cases.

The case was postponed until the next regular meeting to give the township time to review.
9. PPUDP21-02 FOMCO, LLC, PRELIMINARY PLANNED UNIT DEVELOPMENT RESIDENTIAL OVERLAY, Vacant Land within Hearthside Grove (Phase VI), Section 25 & 26, Bear Creek Township

Legal Notice: A request by Kirk Rose on behalf of FOMCO LLC for a Preliminary Planned Unit Development Residential Overlay for vacant land within the development known as Hearthside Grove accessed via US-31 Hwy within Sections 25 & 26 of Bear Creek Township. The properties are zoned I-1 Light Industrial and include the following properties: Tax parcels 01-16-25-100-014 and 01-16-26-200-053. The proposal is to allow all residential uses including residences and/or recreational vehicles; recreational areas including shelter and apparatus; community center, storage, customary accessory buildings with or without a main use, general merchandise store, professional and offices, dwellings attached to business uses and restaurant with outdoor dining as accessory to the development. The request is per Article 16 of the Emmet County Zoning Ordinance.

Packet Info: Request & location map, tax parcel map, application, site plan review checklist, impact statement, Hearthside history info, PUD agreement, site plan, zoning evaluation,

Doernenburg explained that this section is not yet developed. It is accessed via US 31 and also through Fochtman Industrial Park Drive. This phase abuts the other developed parcels and Vis-à-Vis Lane to the east. The industrial park is to the west. The preliminary plan was shown. There are 81 residential lots proposed with about 1.8 units/acre density. A community center, accessory buildings, merchandise store, professional real estate offices, and restaurant with outdoor dining are all proposed. They have also requested modifications to the perimeter setback. There was a concern brought up at the township that the 200x500’ buffer is not clearly defined on the plan and the dumpster was shown within that space. The new plan received today was shown. It has the buffer and screening shown as well as the dumpster moved. The proposed possible accessory uses are shown near the industrial park area. Doernenburg stated that there is nothing requested or set for a restaurant but they just wanted the option.

Rose stated that in 2002 this section originally had 100 units so higher density. They engineered a plan through the State for the 81 units. This permit expires in July 2021 anyway. They want this to conform and fit under local zoning and are happy to change over as going through the State is very cumbersome.

Scott stated that it looks good to him. Urman stated that owners within the development were concerned with some of the proposed uses. He asked Rose if this had been addressed with them. Rose stated that they had to identify any uses that they might want to do. On the new plans, all storage, storage buildings, rec centers, restaurant are all changed to proposed uses and they will require site plan review before this board for anything other than RV sites. He did discuss this with the owners that spoke at the township meeting.

Laughbaum stated that we have reviewed storage units in the past that were close to residences; this is somewhat a flip of that. What is a typical setback for this situation? Eby stated that less was proposed due to the industrial setbacks. Doernenburg stated that we don’t typically require residential uses to screen from commercial uses so there are no specific requirements.

The case was postponed until the next regular meeting to give the township time to review.
10. **PPUDP21-03 William Barfield for Hearthside Grove II Association PRELIMINARY PLANNED UNIT DEVELOPMENT RESIDENTIAL OVERLAY, Ciderpress Dr, Marshside Dr & Hearthside Dr, Section 25, Bear Creek Township**

*Legal Notice:* A request by Bill Barfield for Hearthside Grove II Condominium for a Preliminary Planned Unit Development Residential Overlay for developed parcels within the development known as Hearthside Grove accessed via US-31 Hwy within Section 25 of Bear Creek Township. The 25 sites are zoned I-1 Light Industrial and include the following properties: Tax parcels 01-16-25-106-002 – a vacant parcel and 01-16-25-106-248, 01-16-25-106-257 thru 263, 01-16-25-106-265 thru 268, and 01-16-25-106-321 thru 332 with the addresses of 1824 Hearthside Dr; 1902, 1892, 1884, 1876, 1870, 1864, 1830, 1821, 1827, 1835, 1841, 1843, 1845, 1865, 1869, 1873, 1881, 1887, 1893, 1895, 1899, 1901, 1903 & 1907 Marshview Dr respectively. The proposal is to allow 24 residential sites to be used for residential purposes with or without recreational vehicles and recreational vehicles as a main use year-round. The request is per Article 16 of the Emmet County Zoning Ordinance.

*Packet Info:* Request & location map, tax parcel map, application, site plan review checklist, impact statement, Hearthside history info, PUD agreement, site plan, zoning evaluation,

Doernenburg explained that this area within the Hearthside Grove Development, known as Condo II, is already developed. It was developed under the oversight of the State of Michigan. The entire Hearthside Development is split into different homeowner associations. The underlying zoning is I-1 Light Industrial. Twenty-four lots are dwelling units and the twenty fifth is common space. The access is established from US 31 highway and private road system, with no new access proposed. The township approval is required for the preliminary PUD-RO. All but two of the lots are developed. The lots have 5’ side and 10’ front setbacks and since they are surrounded by other portions of the development, there is no perimeter setbacks proposed for this area. Some of these lots have garages or pergolas. There is a lot of outdoor living space, landscaping, and water features within this development.

Rose stated that they are trying to allow for the reduced setbacks so what is developed conforms. There are only two lots that can be improved to that extent.

The case was postponed until the next regular meeting to give the township time to review.

**Public comment for all three Hearthside cases:**

Jill Rodstein stated that the Rose’s have developed this carefully and planned well. She looks forward to coming back and supports the requests.

Marc Rodstein stated that he supports the applications completely.

The case was postponed until the next regular meeting to give the township time to review.
11. PSUP21-001 Nicholas Liebler, SPECIAL USE PERMIT – Change of Use to Medical Offices, 1727 Anderson Rd, Section 7, Bear Creek Township

Legal Notice: A request by Nicholas Liebler for a Special Use Permit – change of use – for professional (medical) offices at 1727 Anderson Road, Section 7, Bear Creek Township. The property is zoned R-2 General Residential and is tax parcel 01-19-07-300-011. The request is to use the property previously used as a church for medical offices. The review is per Article 5, 20, 21 & 22 of the Zoning Ordinance.

Packet Info: Request & location map, tax parcel map, application, site plan review checklist, impact statement, 1/11/21 site plan, zoning evaluation, 2/4/21 site plan

This property is located on the east side of Anderson Road and is zoned R-2. The proposal is for a change in use from a church to medical offices which is a special use permit within this district. The aerial and site plan were shown. The Road Commission is requiring an upgraded access. An updated plan received today shows this. The existing lighting will need to be corrected and approved by the Zoning Administrator. The dumpster screening will need to be updated to current standards. Playground equipment and storage building are to be removed. The driveway will be re-aligned internally (not within the road right-of-way) and a covered patient drop off area will be added. Snow storage is shown on the site plan. They have adequate parking for the use. Photos of the site were shown.

Nick Liebler, applicant, thanked the board for their time. He stated that it seems to be a favorable request and the new site plan addressed several items that were brought up at the township meeting. The sign at the road will need to be changed and will comply with ordinance standards. This request is a contingency on a real estate agreement and they are seeking approval before moving forward on that. He added that changing the use from a church to medical offices allows this property to go back on the tax rolls and adds a much needed service to the area.

John Iacoangeli, Beckett & Rader, stated that he would recommend that the sidewalk along the parking lot should extend the whole length of the front spaces for accessibility.

Laughbaum asked about interconnecting drives. Liebler stated that they have no intention to do so. Doernenburg stated that it wasn’t part of the proposal and could be difficult in this case. Scott stated that he doesn’t see the sidewalk as a problem as there is a large parking lot area and also a patient drop off area being built. Alexander agreed stating that it would be nice but doesn’t think it’s a major issue.

Drier made a motion to approve Case #PSUP21-001, Nicholas Liebler for a Special Use Permit for a change of use to allow a medical office at 1727 Anderson Road in Section 7 of Bear Creek Township, tax parcel 01-19-07-300-011 as shown on Site Plan dated Feb 4, 2021, based on the facts presented in this case, because the applicable standards of Articles 5, 20, 21, and 26, have been met, and on condition that lighting and dumpster must come into compliance, the drive must meet the ECRC requirements, snow storage must be shown on the plan, and the storage building and playground equipment must be removed and because the township has recommended approval. The motion was supported by Hartmann and passed on the following roll-call vote: Yes: Eby, Drier, Scott, Laughbaum, Urman, Bates, MacInnis, Hartmann, Alexander. No: None.
Other Business

IV Public Comments: None.

V Other Business:

- Zoning Ordinance Text discussion
  - Administrative Review-Maple River and Bear Creek Township support the text change. Doernenburg stated that she would like the industrial zoned properties included. If there are specific uses that should be removed we can discuss that. Laughbaum asked if unanimous support would be needed by this group to approve. Doernenburg stated that if anyone thought it didn’t meet the guidelines it would come back to the Planning Commission for review. Scott made a motion supported by Urman to publish this text amendment. The motion passed by unanimous voice vote of the members.
  - Flag Poles-A new memo from Beckett & Rader was distributed. John Iacoangeli stated that he reviewed the comments and did some research on flagpole manufacturers’ recommendations for flag size. The Belle Tire flag lying flat is about 40-50% of the flagpole height which is 200-300% more than what the manufacturer’s recommend. His research showed that many companies use the flag and pole to draw attention to their business. The height maximum throughout the county for most buildings is 30’ so he based the pole height on this. Some areas in PUDs have higher buildings and for those, the flagpole can be the height of the building but no more than 60’. The area of the flag was based on manufacturer’s specifications. There are national standards for flagpoles based on wind speeds in the area of the country you are in as well. Bates stated that he was on the ZBA when the Belle Tire case was heard and appreciates the specificity of the language and tethering the square footage to the flagpole height. He asked what path someone not in a PUD would use to get a higher flagpole. Icoangeli stated that the ZBA would be the path but it would be a self-created hardship then. Laughbaum asked how many flagpoles are allowed. Three. Doernenburg noted that the language has not been reviewed by civil counsel yet. MacInnis likes the details and clarity.

- Planning Commission By-laws – Will be looked at when text amendments move forward.
- Resolution of appreciation for Jim Kargol was prepared. Alexander made a motion supported by Scott to authorize the Chair to sign and Eby authorized the Zoning Administrator to sign on his behalf. The motion passed by unanimous voice vote of the members.
- Discussion on tabled cases: Doernenburg noted that the by-laws do address tabling cases. This limit has been extended in at least the first two cases. No comments have come in from interested parties in months and the same applies to the other postponed cases. The concern is that neighbors lose interest or don’t know the case is still on the agenda. Drier added that the township still has concerns on the Elmer’s case. Doernenburg stated that she could prepare a letter for all of them to let them know they need to send in information in order to resolve their cases. Bates asked if this is for these cases or in the future moving forward. Doernenburg stated that this already exists in the bylaws but the Planning Commission has some leeway. Eby stated that when the shoreline protection ordinance came into play, it was a very big issue in the area but protection from the water was never addressed. He is not
sure that the public is interested in stopping the protection of the bluff, which is basically what the first two cases are trying to do. Should we re-look at this section of the ordinance? By the time these cases are resolved, the water level will be back down again. The public wants protection of the bluff. Doernenburg stated that there was quite a bit of science put into the text when adopted. We would have to re-open the whole thing or add an exception. Eby stated that it could be an exception that allows for these activities to proceed but still keeps the bluff protections. Laughbaum asked if we are just another layer to the Army Corp of Engineers. Eby stated that their jurisdiction doesn’t go up the bluff. MacInnis stated that the training that he went through last year had some really good videos on the topic that should be viewed if they would let us. Drier stated that she would like the cases off of the docket before we would make any ordinance changes. She does not want it to seem that it is being done for a particular case. Eby stated that he never envisioned that we would be talking about this. Iacoangeli stated that there are a couple people he could suggest that would be good speakers on the subject and could provide some good insight. MacInnis stated that we could start with the videos and then try to set up the speakers.

VI  Adjournment
There was no other business and Eby called the meeting adjourned at 8:34 pm

The next regular meeting of the Emmet County Planning Commission is scheduled for March 4, 2021 at 7:00 PM.
RESOLUTION OF APPRECIATION
James (Jim) Kargol
Emmet County Planning Commission
February 4, 2021

Whereas, Jim Kargol served the people of Emmet County since 2018 as a member of the Emmet County Planning Commission and a County Commissioner, and

Whereas, Jim has ably and faithfully served the public seeking to represent the broader public interest, safety and drainage issues from a County-wide perspective, and

Whereas, Jim came to the meetings prepared and with an open mind, and

Whereas, Jim has guided Emmet County in accordance with sound planning principles, using a common sense approach, always weighing the facts before each decision.

Now therefore be it resolved, that the Emmet County Planning Commission hereby thanks Mr. James Kargol for his professionalism and contributions to Emmet County,

And be it further resolved, that a copy of the Resolution be entered into the records of the Planning Commission, and that a copy be transmitted to the Emmet County Board of Commissioners.

The foregoing resolution was made and passed on February 4, 2021, at a regular meeting of the Emmet County Planning Commission.

Signed

[Signature]
John Eby
Planning Commission Chair

[Signature]
Tammy Doornenburg
Planning and Zoning Director