

Evangeline Township Planning Commission
02476 Wildwood Harbor Road, Boyne City, MI 49712
November 28, 2017, Regular Meeting

Approved: December 19, 2017

1.0 Call to Order and Roll Call:

Meeting called to order at 5:42 p.m. by M. Kroondyk

Roll Call:

Present: Monica Kroondyk, Linda Fry, Steve Smith, Rod Cortright

Absent: Renate Smith

Staff: Patrick Kilkenny, Sara Christensen

Guests: Jim Howell, Kevin Vondron (miDESIGN representing 3700 Springwater Beach Dr.)

2.0 Approval of Meeting Minutes:

The minutes from the October 17, 2017 regular meeting were reviewed. Motion to approve the minutes as presented by S. Smith, seconded by L. Fry: vote all ayes, motion carried.

3.0 Hearing Citizens Comment: None

4.0 Unfinished Business: None

5.0 New Business

5.1 3700 Springwater Beach Drive Pre-Application Conference

Zoning Administrator, P. Kilkenny began with an overview stating that the applicant is proposing an addition to a nonconforming garage in the Springwater Beach Zoning District. He stated that the Planning Commission has the authority to allow expansions of Class A Nonconforming structures provided the expansion does not increase the nonconformity (e.g. the addition could be bumped back to allow for the proper setback). The garage is nonconforming due to the structure only being 12' back from the road according to a survey from Furgeson. The roadfront setback in this district is a minimum of 18'.

Kevin Vondron from miDESIGN attended on the owner's behalf and described the proposed project to expand the existing building and add a second story to be used as storage space. The expansion is one car stall for an additional 832 sq.ft. on the footprint. He noted that if the addition were to be moved 6' back from the road, the drainfield would need to be probed to see if there is room.

The Planning Commission noted that Section 3.16D3 of the Zoning Ordinance prohibits them from approving the plan as presented. They summarized the options presented tonight: modify the plans to move the expansion back to comply with the setback, move the entire garage, or request a variance from the ZBA (it was noted that this option requires a hardship to be proved and this could be very difficult). The Planning Commission stated that the foundation on the existing structure can be modified and the zoning ordinance allows for a second floor on the existing footprint. They also noted other issues per the Zoning Ordinance to keep in mind when moving forward including: the 50' setback from the waterfront; any additions to the property will trigger a greenbelt to be established (if not already existing); and the maximum height for the garage is 25' or the height of the existing building up to 25'.

5.2 Medical Marijuana Facilities Licensing Act Review

Jim Howell attended tonight's meeting to explain the conversations the Township has been having on this issue and to get a read on the Planning Commission's view as they plan to moving forward. P. Kilkenny stated that the City of Boyne City discussed the new Act back in August 2017 and voted to opted out. A memo from City Planner, Scott McPherson was included in tonight's packet. Sample ordinances from MSU were also provided. General discussion took place on the Act, including options for local municipalities.

Kingsley is the first known municipality to approve a facility under the new Act. Staff noted that action can be taken in the future. For example, if a “yes” stance is taken now and facilities are established, in the future if the stance becomes a “no”, those existing facilities would be “grandfathered in”. Staff explained that the Act is written so that if municipalities do nothing, they essentially opt out and that equals a “no”. The Township Board plans to take action on this item before the end of 2017. The Planning Commission discussed that under the current Zoning Ordinance, an application would not be approved for this type of facility.

5.3 Nonconforming Uses and Structures Review

During the last meeting, the Planning Commission expressed a desire to review Class A & B Nonconforming uses and requested staff to provide options for amending the existing language. P. Kilkenny included examples of how these uses are regulated in neighboring communities in tonight’s meeting packet.

Motion to eliminate section 3.16D2 from the Zoning Ordinance by R. Cortright, seconded by L. Fry: vote all ayes, motion carried.

Additional discussion took place amongst the Planning Commission regarding the notion that all non-conformities are not created equal, the Class A & B designation was established to add a little flexibility to the Zoning Ordinance, and the multiple waterfront districts were established to accommodate many differences.

P. Kilkenny will take care of the necessary steps to hold a public hearing to adopt the recommended changes.

5.4 Adoption of 2018 Meeting Calendar

J. Howell announced that the Township board would like to have a joint meeting on January 9, 2018 with the Planning Commission to discuss budget items. All Planning Commission members are encouraged to attend.

A draft calendar was included in tonight’s packet. Motion by R. Cortright to adopt the meeting calendar for 2018 as presented, seconded by S. Smith: vote all ayes, motion carried.

6.0 Reports & Communications: None

7.0 Planner/Zoning Administrator Report

7.1 One zoning permit issued since last report: (Single Family Residence-GWB)

7.2 Recent question posed to staff regarding a “Temporary” Car Port Structure:

After brief discussion, it was determined that the Planning Commission would require a full scale site plan review for this type of structure.

7.3 ZBA did not meet due to lack of agenda items

8.0 Next Meeting:

The next meeting of the Planning Commission is scheduled for December 19, 2017, at the Evangeline Township Hall at 5:30 p.m.

9.0 Adjournment:

Motion to adjourn the meeting by L. Fry, at 6:48 p.m. seconded by R. Cortright, all ayes, motion carried.

Approved:



Sara Christensen, Recording Secretary