

Hayes Township Planning Commission
February 18, 2020
Regular Meeting
09195 Old US 31 N, Charlevoix, MI 49720

CALL TO ORDER: Chairperson Roy Griffitts called the meeting to order at 7:00 p.m.
Members present: Roy Griffitts (Chair), Ed Bajos, Cliff Biddick, Doug Kuebler, Omar Feliciano (Vice-Chair), Marilyn Morehead, Matt Cunningham (Board of Trustee Representative)
Also, present: Ron VanZee (Zoning Administrator), Kristin Baranski (Recording Secretary/Deputy Clerk)

PLEDGE OF ALLEGIANCE TO THE FLAG: Mr. Griffitts asked everyone to join him the in the Pledge of Allegiance.

REVIEW AGENDA: Agenda approved as amended

DECLARATIONS OF CONFLICTS OF INTERESTS: None

PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS: None

APPROVAL OF MINUTES:

Ed Bajos made a motion, supported by Doug Kuebler, to approve the January 24, 2020 regular meeting minutes as amended.

All supported by saying Yea. **Motion passed**

REPORT OF TOWNSHIP BOARD REPRESENTATIVE TO THE PLANNING COMMISSION: By Matt Cunningham

The Hayes Township Board of Trustees had a special meeting on January 29, 2020 to set Board of Reviews dates for 2020 and to pass ~~to~~ **two** resolutions to apply for Charlevoix County Park Millage Grants and held the regular monthly meeting on February 10, 2020. At the February meeting the BOT approved Fire Chief Dan Thorpe to raise the cabins at Camp Seagull in a training exercise, approved the County Road Commission to obtain bids for Bayshore, appointed Road Committee members, adopted the Hayes Township Master Plan and moved the March 2020 Board of Trustees meeting to March 16, 2020 at 7:00 pm (to accommodate election set up). The next Hayes Township Board of Trustees meeting is scheduled for March 16, 2020 at 7:00 pm. at the Hayes Township Hall.

REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE: by Roy Griffitts

The Zoning Board of Appeals held an organizational meeting on February 12, 2020. The ZBA will meet on April 1, 2020 at 7:00 pm at the Hayes Township Hall.

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ZONING ADMINISTRATOR REPORT: Ron VanZee gave an oral report of all zoning activity in Hayes Township.

CORRECTION OF ZONING MAP: Mr. Griffiths explained to the Planning Commission members the research process to investigate the parcels on the zoning map that are in question. The Hayes Township Property Rezone binders are checked, compared with the individual and parent parcel file (if applicable), minutes for PC and BOT are reviewed and assessing records are checked.

NON CONFORMING ORDINANCE AMENDMENT: The planning commission reviewed the remarks from Beckett & Raeder regarding draft version of the Nonconforming Waterfront Districts Amendment relating to waterfront properties located in the Michigan Shores subdivision along Lake Michigan and the Tunison and Susan Shore No. 1 subdivisions along Susan Lake. Edits made by PC include:

Section 2. Amendment of Article 111, Sections 3.14.2 of the Hayes Township Zoning Ordinance is hereby amended to read **the first paragraph** in its entirety as follows:

Section 5. Amendment of Article **IV**, Section 4.13: Article **IV**, Section 4.13

Section 8. Amendment of Article IV, Section 4.13. The Table of Regulations in Article IV, Section 4.13 of the Hayes Township Zoning Ordinance is hereby amended to add new footnotes **l, j and k**, which shall read in their entirety as follows:

- i. The sum of the two sides yard setbacks shall be no less than 15 feet, whereas one side shall not be less than 5 feet, and the distance to an adjacent principle structure on the neighboring property shall not be less than 15 feet.
- j. The front setback for waterfront lots shall be 50 feet, measured from the property line. The front setback for non-waterfront lots shall be 25 feet.
- k. The rear setback for waterfront lots shall be 15 feet. The rear setback for non-waterfront lots shall be 25 feet.

SPECIAL ZONING DISTRICTS: Since the October 2019 meeting it has been determined for the subject properties that allowing a smaller minimum lot size ~~that~~ **than** what is permitted in the R-2 districts, while maintaining a same maximum impervious coverage limit will result in a significantly smaller area of improvement. Therefore, the draft provided by Beckett & Raeder has been modified to reflect the maximum impervious coverage limit from twenty (20%) to thirty-five (35%) percent.

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Marilyn Morehead made a motion to set a public hearing at the regular Planning Commission meeting on Tuesday, March 17th, 2020 at 7:00 pm to receive comment from the public on the proposed zoning ordinance amendment as amended and to create new zoning districts for Michigan Shores and Susan Shores No. 1 and Tunison Subdivisions.

All supported by saying Yea. **Motion passed**

NUISANCE ORDINANCE: The Planning Commission reviewed the current Hayes Township Nuisance Ordinance as requested. Comments indicated that the ordinance itself is reasonably complete. The issue of enforcement appears to be inconsistent. In the area of noise limits, the Planning Commissioners discussed how to measure noise concerns and enforcement issues.

START PLAN TO REVIEW THE ZONING ORDINANCE IN ITS ENTIRETY: The Planning Commission will begin the daunting task of reviewing the Hayes Township Zoning Ordinance in its entirety. Mr. Bajos will begin to work on the steps (flow chart) an applicant needs to take when building a home; Ms. Baranski will research interactive sites for zoning; Ms. Morehead will review waterfront related information; Mr. Kuebler will work with Mr. VanZee on a definition for 'COMMERCIAL'.

COMMERCIAL DEFINITION: Mr. Kuebler will work with Mr. VanZee (ZA) on a definition to build on.

SET PUBLIC HEARING DATES: Public Hearing set for March 17, 2020 at 7:00 pm at Hayes Township Hall for non-conformity ordinance amendment and special zoning districts, Susan Shores and Michigan Shores. Public Hearing set for April 14th, 2020 at 7:00 pm at Hayes Township Hall for zoning map corrections.

SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING: Next Planning Commission meeting will take place on March 17, 2020 at 7:00 pm. at the Hayes Township Hall.

PLANNING COMMISSION COMMENT: None

PUBLIC COMMENT: None

ADJOURNMENT: Ed Bajos, supported by Doug Kuebler, made the motion to adjourn the meeting at 8:35 pm.

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Motion passed

Recorded by:

Respectfully Submitted by:

Kristin Baranski

Omar Feliciano/PC Vice-Chair