

Hayes Township Planning Commission  
November 17, 2020  
Regular Meeting  
Hayes Township Hall  
Zoom ID 864 3874 8479

**CALL TO ORDER:** Chairperson Roy Griffiths called the meeting to order at 7:00 p.m.

Members present: Roy Griffiths (Chair), Ed Bajos, Doug Kuebler, Matt Cunningham (Board of Trustee Representative), Marilyn Morehead, Cliff Biddick, Omar Feliciano (Vice-Chair).  
Also, present: Ron VanZee (Zoning Administrator), Kristin Baranski (Clerk) and April Hilton (Recording Secretary).

**PLEDGE OF ALLEGIANCE TO THE FLAG:** Mr. Griffiths led the Pledge of Allegiance.

**REVIEW AGENDA:** Agenda approved

**DECLARATIONS OF CONFLICTS OF INTERESTS:** None

**PUBLIC HEARINGS:**

**THE REPORT OF APPLICATION:** BY RON VANZEE

Public hearing for property tax ID 15-007-001-002-45, located at 5630 Stephens Rd., Charlevoix, MI 49720. The notice for a public hearing ran in the Petoskey News Review on October 27<sup>th</sup>, 2020 and property owners within 350ft were mailed notices on October 26<sup>th</sup>, 2020.

Consideration is outlined in Article X, and specifically Section 10.01 and 10.02. as applicable of the 2009 Hayes Township Zoning Ordinance as amended. The parcel is currently zoned Agricultural (AG). Thomas and Sara Shifrin are requesting property be rezoned to Rural Residential (RR). A rezoning of the property is in keeping with the Hayes Township's Master Plan (Future Land Use Map).

Section 10.01

5.) The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

- a) Is the proposed rezoning consistent with the Hayes Township Master Plan? **YES**
- b) Is the proposed rezoning reasonably consistent with surrounding uses? **YES**
- c) Will there be an adverse physical impact on surrounding properties? **NO**
- d) Will there be an adverse effect on property values in the adjacent area? **NO**
- e) Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning? **YES**
- f) Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations? **NO**

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- g) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public? **NO**
- h) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications? **YES**
- i) Is the rezoning in conflict with the planned use for the property as reflected in the Land Use Plan? **NO**
- j) Is the site served by adequate public facilities or is the petitioner able to provide them? **YES**
- k) Are there sites nearby already properly zoned that can be used for intended purposes? **NO**
- l) Are other local remedies available? **NO**

**Shifrin Rezoning Request:**

Cliff Biddick made a motion, supported by Marilyn Morehead, to approve the property tax ID 15-007-001-002-45, located at 5630 Stephens Rd., Charlevoix, MI 49720 from Agricultural to Rural Residential. A roll call was taken.

Yeas: Marilyn Morehead, Doug Kuebler, Ed Bajos, Roy Griffiths, Cliff Biddick, Omar Feliciano and Matt Cunningham.

Nays: none     **Motion Carries**

**THE REPORT OF APPLICATION:** BY RON VANZEE

Public hearing for Manthei Development Corporation for six parcels (property tax ID numbers 15-007-109-026-20, 15-007-109-026-15, 15-007-104-002-15, 15-007-104-001-10, 15-007-104-002-10, 15-007-109-001-10). Located on US 31 north of Burgess. The notice for a public hearing ran in the Petoskey News Review on October 27<sup>th</sup>, 2020 and property owners within 350ft were mailed notices on October 26<sup>th</sup>, 2020. Consideration for the rezoning is outlined in Article X, and specifically Section 10.01 and 10.02. as applicable of the 2009 Hayes Township Zoning Ordinance as amended. The parcel is currently zoned Rural Residential (RR). Manthei Development Corporation is requesting the 6 parcels be rezoned from Rural Residential (RR) to General Commercial (C2). A rezoning of the 6 parcels is in keeping with the Hayes Township's Master Plan (Future Land Use Map).

5.) The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

- a) Is the proposed rezoning consistent with the Hayes Township Master Plan? **YES**
- b) Is the proposed rezoning reasonably consistent with surrounding uses? **YES**
- c) Will there be an adverse physical impact on surrounding properties? **NO**
- d) Will there be an adverse effect on property values in the adjacent area? **NO**

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- e) Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning? **YES**
- f) Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations? **NO**
- g) Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public? **NO**
- h) Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications? **YES**
- i) Is the rezoning in conflict with the planned use for the property as reflected in the Land Use Plan? **NO**
- j) Is the site served by adequate public facilities or is the petitioner able to provide them? **YES**
- k) Are there sites nearby already properly zoned that can be used for intended purposes? **NO**
- l) Are other local remedies available? **NO**

**Manthei Rezoning Request:**

Ed Bajos made a motion, supported by Doug Kuebler to approve the rezoning of the Manthei property of the 6 parcels listed on the application. A roll call was taken.

Yeas: Marilyn Morehead, Doug Kuebler, Ed Bajos, Roy Griffiths, Cliff Biddick, Omar Feliciano and Matt Cunningham.

Nays: none     **Motion Carries**

Public hearing closed at 7:18 pm

**PUBLIC COMMENTS UNRELATED TO AGENDA ITEMS:**

Public comments open at 7:19, None, Public comments closed at 7:19 pm

**APPROVAL OF MINUTES October 20,2020 REGULAR MEETING:**

Doug Kuebler made a motion, supported by Ed Bajos, to approve the October 20th, 2020 regular meeting minutes as correct. A roll call was taken.

Yeas: Marilyn Morehead, Doug Kuebler, Ed Bajos, Roy Griffiths, Cliff Biddick, Omar Feliciano and Matt Cunningham.

Nays: none     **Motion Carries**

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

**REPORT OF ZONING BOARD OF APPEALS REPRESENTATIVE:** by Roy Griffiths  
The Zoning Board of Appeals did not meet.

**ZONING ADMINISTRATOR REPORT:** Ron VanZee presented a written report of all zoning activities. Copy available at Hayes Township Hall.

**SET PUBLIC HEARING DATES:** None

**SET/CONFIRM DATE OF NEXT PLANNING COMMISSION MEETING:** Next Planning Commission meeting will take place on December 15th, 2020 at 7:00 pm. at the Hayes Township Hall and Zoom.

**PUBLIC COMMENT:** Public comments open 7:23, None, public comments closed 7:23

**ADJOURNMENT:** Ed Bajos made a motion, supported by Doug Kuebler, to adjourn the meeting at 7:25 pm. A roll call was taken.

Yeas: Marilyn Moorhead, Doug Kuebler, Ed Bajos, Roy Griffiths, Cliff Biddick, Omar Feliciano and Matt Cunningham.

Nays: none **Motion Carries**

Respectfully Submitted by:

April Hilton