

WEXFORD COUNTY PLANNING COMMISSION
Meeting Minutes: August 13, 2008, 7:00 PM
Human Services Building , 401 N. Lake Street
Cadillac MI 49601

Call to Order: Chairman Solomon called the meeting to order at 7:00 PM

Those Present: Monroe, Middaugh, Osborne, Stoutenberg, Wiggins, Solomon.

Those Absent: McKeown and Rabun (excused)

Staff Present: Michael Green, Zoning Administrator

Approval of the Agenda: Solomon asked to add the "Grand Vision Update" to the agenda as item # 5a. Motion was made by Osborne, seconded by Middaugh, to approve the agenda as amended. Motion carried with all in favor.

Approval of July 9, 2008 Minutes: Motion was made by Osborne, seconded by Middaugh, to approve the July 9, 2008 minutes subject to the following corrections:

1. Strike the words "He would" from the last sentence of item 1,(e), ii., under "New Business".

Motion carried with all in favor.

Correspondence [not related to public hearing(s)]: None

Grand Vision update (Added to Agenda as item 5a.): Matt McCauley of Northwest Michigan Council of Governments gave an update on the Grand Vision planning process. He noted that a workshop was held in Wexford County, as well as the other five counties that are involved in the plan. He also explained the purpose of doing a regional land use and transportation plan. He would like 15,000 people to participate in the land use visioning workshops that will take place this fall. He stated that there will be an informational workshop on August 27, 2008 here at the Lake Street Conference Room. There will be a kickoff meeting on October 13 at the Cadillac High School Auditorium.

Old Business (Continued from July 9, 2008 Meeting):

(a) **SUP #08-3.** A request for a modification of Special Use Permit #07-8, granted by the Planning Commission on September 12, 2007, to allow a proposed fully-enclosed banquet facility to be used on a year-round basis. Parcel is more particularly described as: THAT PART OF S 1/2 OF NE 1/4 OF SE 1/4 W OF OLD US 131 EXC BEG AT NE COR OF SW 1/4 OF SE 1/4; E 91.31 FT; N48D18M59S W 122.4 FT; S 79.68 FT TO POB & PAR COM 79.69 FT N OF NE COR OF SW 1/4 OF SE 1/4; N48D18M59S W 179.35 FT; N18D16M23S E 424.61 FT; S 522.47 FT TO POB. -6.26 A M/L- CL. SEC. 9 T21N R9W -CAPS- SPLIT ON 10/11/2007 FROM 2109-09-4103;. Property address: 7658 S MACKINAW TRL, Brian and Julia Williams, applicants.

- i. **Open Public Hearing:** Hearing opened by Chairperson Solomon at 7:10 pm.
- ii. **Present Site Plan/Special Use Request:** Green read the staff report prepared for the request and acknowledged the elevation drawings that were provided by the applicant in response to the Planning Commission's request from July 9.
- iii. **Acknowledge written/e-mail/verbal correspondence:** Five written letters were received, 3

were in favor, 2 were in opposition to the request.

iv. Receive public comments from those in favor:

- A. Brian Williams gave an overview of the proposal and wanted to respond to the written letters in opposition. He was approved for a seasonal facility by a unanimous vote. He has designed the building ~~to be designed~~ to fit the look of the neighborhood. He noted that the proposed use is allowed by special use in the Resort-Residential. He stated that this is not a spot zoning request. Secondly, he doesn't believe that the homes are truly considered a "neighborhood". The homes are in close proximity of the McGuire's complex. The homes are on Old US 131, which is a historically commercial/mixed use area. He also believes that an enclosed facility would be quieter than an open facility and would be more harmonious with the surrounding area. He contended that the facility would not adversely affect property values.
- B. David Fox of Wexford Township is interested in seeing how the issues of harmoniousness and seasonal will be handled by this commission.
- C. Dean DeKryger wanted to explain changes to the concept from the original proposal. He takes partial responsibility for encouraging an enclosed facility. He felt that the weather makes it difficult to maintain an open facility.
- D. David Dunbar understands that a seasonal facility is difficult to pull off financially and is in support of a year-round facility.

v. Receive comments from those in opposition:

- A. Larry Davy of Mackinaw Trail believes that the area is a neighborhood and should be protect from encroachment of commercial uses. The zoning is different than across the street. He noted that other businesses in the area are 9 to 5 operations. He noted that there are ten golf courses in the area. Only one of the ten courses has commercial property in the area. The neighborhood has existed since the 1950's and was created by Curley McGuire as a small neighborhood to supplement the golf course. He asked for certain restrictions for the facility if it is granted. If the Planning Commission does approve the enclosed facility, he would like the hours restricted to 11:00 pm and no bring your own beverage (BYOB) at the facility.

vi. Close Public Hearing for commissioner/staff discussion

- A. Dave Stoutenberg noted that as he looked at the drawings and drove through the area, he realized that there is a mix of uses in the area. He likes the look of the building and thinks it is in character with the area.

vii. Consider Motion to approve, deny, or approve SUP #08-3 with conditions:

- A. Motion made by Middaugh, seconded by Stoutenberg, to approve SUP #08-3, a request for a modification of Special Use Permit #07-8, granted by the Planning Commission on September 12, 2007, to allow a proposed fully-enclosed banquet facility to be used on a year-round basis, upon finding of compliance with Article 10, Section 10.3 standards and subject to the original conditions of approval for Special Use Permit #07-8, which was granted by the Planning Commission on September 12, 2007. The motion carried with all in favor.

New Business:

- (a) **SUP #08-4:** A request for a special use permit to operate a group day care home for 7-12 children using the existing residence on the subject parcel. Parcel is more particularly described as: E 1/2 OF W 1/2 OF SE 1/4 OF NW 1/4 10 A. M/L CG. SEC. 7 T21N R10W - CAPS -. Parcel ID #: 2110-07-2404. Property address: 415 E 40 1/2 RD. Applicant(s): STEWART, RONALD D AND FRANCIS.

- i. **Open Public Hearing:** Solomon opened the public hearing at 7:45 pm
- ii. **Present Site Plan/Special Use Request:** Green read the staff report prepared for this request.
- iii. **Acknowledge written/e-mail/verbal correspondence:** (None received)

iv. Receive public comments from those in favor:

- A. Tonya Bednarick of 301 E. 40 1/2 Road is in favor of the requested day care home. She lives in the neighborhood and has young children.

v. Receive public comments from this in opposition: (None received)

vi. Close Public Hearing for commissioner/staff discussion

- A. Middaugh asked about the number of bathrooms available. The applicant stated that there will be two bathrooms available for use in the day care.
- B. Wiggins asked if the home was in conformance with zoning setback requirements. Green responded that the building is presumed to be a legal, permitted use, and should not affect the outcome of tonight's request.
- C. Stoutenberg asked if the fencing requirements would be met. Green stated that the state licensing agency determines the necessary fencing requirements as a condition of approval for a day care license.
- D. Monroe asked if the road is seasonal. Stoutenberg explained that it is not until past her driveway.

vii. Consider Motion to approve, deny, or approve SUP #08-4 with conditions:

- A. Motion was made by Osborne to approve SUP 08-4 upon finding of compliance with Article 10, Section 10.3 standards, seconded by Middaugh. Motion carried with all in favor.

Other Business: Solomon would like letter sent to Michael Haner thanking him for his years of service. Osborne asked if a sign was given to the applicant. Solomon asked if we could purchase sign posts that stick in the ground and would hold the signs on the site that are being provided by the Zoning Administrator.

Public Comment:

- 1. David Fox of 8528 W. 6 1/2 Road is here to comment on the Spruce Hollow Campground Special Use Permit from 2008. Mr. Fox mentioned that he made a request as to how many campgrounds exist in Wexford County. He stated that no information was provided by the county. He also noted that Wexford Township sent a letter to the Planning Commission asking a couple of questions about the definition of seasonal and whether the campground was public or private.

Green indicated that the Planning Commission responded to the letter. He read excerpts from previous meeting transcripts regarding the campground. He also mentioned that there was no transcriptionist present at the April meeting, even though there was a transcriptionist at the September meeting. He noted that decisions made by some Planning Commissioners have been inconsistent from meeting to meeting.

2. Thomas Fox of 8336 W. 6 ½ Road is concerned about inconsistent decisions made by the Planning Commission between September 2007 and April 2008. He noted that Haner voted consistently against the campground until the April 2008 meeting. He also mentioned that Osborne stated after the *April 2008* meeting that he disagreed with the motion to ~~approve~~ *deny*. He should have changed the motion.
3. Solomon mentioned tonight's meeting was similar to the April 9, 2008 campground issue. He felt that previous comments were noted and included in the meeting minutes and other correspondence.
4. Osborne asked about the *expansion of the campground at the* Buckley Engine Show. Green stated that the show has been operating prior to the Zoning Ordinance going into effect and is considered a grandfathered use. Green also stated that permits are not required for the show because the buildings and grounds are already in existence, similar to the county fairgrounds in Cadillac. Any future expansion of the site would require some type of site plan review.

Adjournment: Motion was made by Osborne, seconded by Middaugh, to adjourn the meeting at 8:35 pm. Motion carried 6-0.

Respectfully Submitted by:

Michael Green, Zoning Administrator



Michael Solomon, Chairperson