

LEELANAU TOWNSHIP BOARD MEETING AGENDA
TUESDAY, AUGUST 10, 2021 5:30 P.M.
231-386-5138

JOIN MEETING VIA ZOOM ELECTRONIC REMOTE ACCESS:
<https://us02web.zoom.us/j/87870732100?pwd=dDhCT3pIM0I2VWc0TzNnc1MwUE5TUT09>

MEETING ID: 878 7073 2100
PASSCODE: 496700

TENTATIVE AGENDA

*AGENDA CAN BE AMENDED AT THE MEETING.
CHANGES CAN/WILL OCCUR UP UNTIL AND AT THE MEETING
ORDER OF AGENDA ITEMS CAN/WILL CHANGE UP UNTIL AND AT THE MEETING*

- I. CALL TO ORDER, ROLL CALL,
- II. SET AGENDA
- III. PRESS RELEASE - SANDERS
- IV. PUBLIC COMMENT – FIRST – LIMITED TO 3 MINUTES MAXIMUM
- V. GENERAL BUSINESS
 - A. APPROVAL OF MINUTES OF JUNE 8, 2021 REGULAR BRD MEETING
 - B. APPROVAL OF BILLS FOR AUGUST
- VI. REPORTS
 - A. BENZIE LEELANAU HEALTH DEPARTMENT – LISA PEACOCK COVID UPDATE
 - B. EMERGENCY SERVICES – HUGH COOK
 - C. FACILITIES MANAGER – BEN PURDY (WOOLSEY AIRPORT UPDATE)
 - D. LIBRARY DIRECTOR – CORA SCHAEF
 - E. PLANNING COMMISSION – GINA HARDER
- VII. ACTION ITEM(S)
 - A. TOWNSHIP HEALTH INSURANCE – DOTTIE BROWN
 - B. ADOPT SIGN ORDINANCE – STEVE PATMORE
 - C. PLATTED LOT SPLIT – LOT 6 OF CATHEAD POINT - PATMORE
 - D. PLANNING COMMISSION RE-APPOINTMENT OF RHEBORI & MITCHELL & NEW APPOINTMENT OF HARDT - SANDERS
 - E. NEW TOWNSHIP WEBSITE - HARDER
 - F. 6 MONTH PATRICIPATION OF OMENA STREET LIGHTS – GINA HARDER
- VIII. DISCUSSION ITEM(S)
 - A. EMS BONUS – COOK
- VIII. PUBLIC COMMENT – SECOND – LIMITED TO 3 MINUTES MAXIMUM
- IX. CORRESPONDENCE AND ANNOUNCEMENTS

ADJOURN

Monica Diaz

From: Craig Brigham <cbrigham2020@gmail.com>
Sent: Tuesday, July 27, 2021 2:01 PM
To: Monica Diaz
Subject: public comment letter for reading at next township board meeting

Monica,
Would you please have John Sanders read the below comments at the next board meeting. Thank you. Sincerely, Craig Brigham 8568 N. Bayview Ave 386-7304

You to Decide

It's Up to

The noted quote "change and death are our only real constants should be accompanied by "We choose our joys and sorrows long before we experience them". We residents of Leelanau choose life here that has more separation than many people that visit are use to. Ours is a choice of consciousness. In it we find a sustaining joy for life.

We know what happens here each summer. Our attractive, quiet, rich rural lifestyle gets over exposed. Dollar sign scavengers appear. Growth takes on new meaning. Stewardship of our choice becomes a necessary response of consciousness to maintain. We have no option but to act. Our community choice isn't more people, traffic and tourism to support business interest. We must be vocal about it. Special interest signs promoting "Build Our Community" are nonsense. The quality of our life here is rare, a thing of kings, subtle, poetic, easily overwhelmed by dull interests when not attended.

The old Timber Shores property has once again become low hanging fruit, looking ripe for easy plucking. A juicy plumb to be exchange for few hundred RVs parked a few feet apart on a concrete slab including a few thousand people who ride inside. We accept that the old Timber Shores property will be developed ultimately but it's our decision to determine how? We, the community are the stewards of that choice. A trailer and RV park, with a water park on a Leelanau beach, really? Come on people. This isn't Vegas or Orlando. Make your voice heard. RV parks here aren't us. Get angry with concern! Craig Brigham, Indian Beach, Northport

**LEELANAU TOWNSHIP BOARD MEETING MINUTES
TUESDAY, JUNE 8, 2021, 5:30PM**

CALL TO ORDER, ROLL CALL:

PRESENT: Monica Diaz, Denise Dunn, Gina Harder, Georgie Murray, John Sanders and Host: Steve Patmore, with Scribe: Georgienne Hammer.

Zoom Meeting of the Leelanau Township Board called to order at 5:30p.m. by John Sanders

SET AGENDA:

John Sanders asked for agenda changes: Sanders asked to move REPORTS, Item F, Planning Commission & Recommendation for Planning Firm to before GENERAL BUSINESS due to Karen Mulvahill, the presenter, who has another meeting to attend this evening. ACTION ITEM(S) would add a C for a motion to accept or deny the Item F Report also at this time.

PUBLIC COMMENT #1:

Gerald Schatz announced that this Friday, 6-11-21, the Northport Farmers' Market will host a Pop-Up COVID-19 vaccination booth hosted by the Benzie-Leelanau Health Department.

REPORTS:

F. Planning Commission & Recommendation for Planning Firm – Gina Harder and Karen Mulvahill

Karen Mulvahill presented the consultant selection process and from the four proposals received, two were chosen for recommendation to the Leelanau Township Planning Commission. Beckett & Raeder of Traverse City and Williams and Works of Grand Rapids were the final two candidates. Having more experience with small communities, more awards for Master Plans, have worked with EGLE and worked previously with the Designing Our Future Project with the Village of Northport, Beckett and Raeder was unanimously supported by the Planning Commission for the project. Q & A: John Sanders expressed his gratitude and thanked the Commission for their work. Georgie Murray asked if Parks and Recreation was part of the plan? Not built in but could be as Beckett and Raeder do Master Plans for Parks and Recreation as a separate. Karen will ask if this is possible. John Sanders asked for a motion to add a vote of actionable items at this time, the added Item C. Gina Harder moved to take Action Item C for vote at this time in meeting. Georgie Murray seconded motion. Yea: Diaz, Dunn, Harder, Murray & Sanders. Nay: None. Motion carried unanimously.

C. Georgie Murray moved to recommend we hire Beckett and Raeder to be the vendor firm for the Planning Commission. Gina Harder seconded the motion. Yea: Murray, Diaz, Harder, Dunn & Sanders. Nay: None. Motion carried unanimously.

GENERAL BUSINESS:

A. Approval of minutes 4/27/21, Special Board meeting

Denise Dunn moved to accept the minutes as presented with one minor correction, a missing word in the last line, the word Report. Line should read: Full Planning Commission Report will be on website. Gina Harder seconded the motion to accept with the addition of the word Report. Yea: Dunn, Diaz, Harder, Murray, Sanders. Nay: None. Motion carried unanimously.

B. Approval of minutes of May 11, 2021, Regular Board meeting.

Gina Harder noted there should be a striking of the word Closed from General Business, B. Special Closed Session meeting – strike Closed. Gina Harder moved to accept May 11 minutes as amended. Georgie Murray seconded the motion. Yea: Harder, Murray, Sanders, Dunn, Diaz. Nay: None. Motion carried unanimously.

C. Approval of June 1, 2021, Special Meeting with Tim Malone. Denise Dunn moved to approve the minutes of Special Meeting with Tim Malone of June 1, 2021. Gina Harder seconded the motion. The meeting was recorded and there is a link to it on the Township Website. Yea: Diaz, Dunn, Sanders, Murray, Harder. Nay: None. Motion carried unanimously.

D. Approval of Bills for June 2021. Monica Diaz presented the total with additions, \$62,880.49 plus AT & A T, gas/diesel Village of Northport, Charter, United States PostMaster, Mid-Michigan Bill and Baker & Taylor books for the library adding \$4,256.24 for a grand total of \$67,136.73. Georgie Murray was pleased with the revamping of the bills report but questioned the book budget amount as \$6,000 has been spent thus far out of \$19,000 budget. This will be looked into. Also, Michigan Assessing Services \$4,000 – is that per month? Yes, and at same rate. MTA Dues are annual and there was about a \$300.00 increase this year. National Host testing, how often does that happen? Hugh Cook confirmed it was annually. Monica Diaz moved to approve the June 2021 bills in the amount of \$67,136.73. Denise Dunn seconded the motion. Yea: Diaz, Dunn, Sanders, Harder, Murray. Nay: None. Motion carried unanimously.

REPORTS:

A. Leelanau County Commission: Ty Wessell

The monthly Executive Committee meeting was today and will be the last month for remote meetings. Auditor report gave them a Strong A is their audit. The Community Action Agency report was presented as well as the needs in our county due to the ALICE threshold numbers being higher in our county. Budget 2022 process is now active. Q & A. None, thank you Ty.

B. Leelanau County Sheriff – Brian Dion

Deputy Dion shared his report of complaints regarding a male citizen in Northport publicly intoxicated and spreading out on the Village benches. Also, speeding construction crews and trucks racing through town to get to projects north of town in the morning. North Shore residents also concerned about the speed on that road. Q & A. What's the biggest issue thus far? Speeding, especially through the towns in our township. Thank you, Deputy Dion.

C. Emergency Services - Hugh Cook

Thank you, Deputy Dion, for the slowing down of the traffic, especially in the mornings. Hugh gave his report along with B. under DISCUSSION ITEMS.

D. Facilities Manager – Ben Purdy

We've well companies working to get the pump water well back in service at Peterson Park. Apple Fence has updated their quote for fencing at the Dog Park and are coming post haste. Before the July 4 holiday weekend the pit toilets at our local parks will all be pumped. Doggie dodo bags will be back. Woolsey Airport stabilization and/or restoration of the terminal building is under discussion. The flagpole in the cemetery was replaced, then vandalized again. A couple of parties on Northport Point would like to donate monies for a new flagpole. Ben is asking that the pole have a pivot point for easy access to the top. John Sanders also addressed the need for Dark Sky compliant lighting of the flag.

E. Library Director – Cora Schaeff

Cora shared her two-page report, which the board received via e-mail. The Library is back up and running as normal as well as a large increase in usage. Visitors in 2020 in March, April and May was only 500, same time this year was 1300. July 3 is the Friends of the Library Used Book Sale, a Summer Writer Series will be on Tuesdays in July at the Northport Arts Building on 3rd Street and Clifford the Big Red Dog with his free books will attend the Dog Parade on the second Saturday in August. Many great events are scheduled throughout the summer for children, teenagers and adults. Q & A: Cora spoke regarding the book budget and encouraged questions. Gina Harder inquired about usage of the telescope at the library. It's been very good and even a life-long non-library card holder in Omena has been coming very regularly and inquired how other areas could do the same thing.

ACTION ITEMS:

A. Airport Terminal Building Stabilization – Sanders

The airport terminal is in serious disrepair and stated he would like to see a firm come in to stabilize the structure first before spending huge amounts of money to actually restore the building. John asked the board for permission to request a \$7,000 grant from the Leelanau Township Community Foundation and to contract with Machin Engineering on a stabilization plan for the terminal. Georgie Murray moved to support the request of a \$7,000 grant. Gina

Harder seconded the motion. Yea: Diaz, Dunn, Harder, Murray, Sanders. Nay: None. Motion carried unanimously.

B. Cora Schaeff Pay Raise Adjustment – Harder

Gina Harder addressed rewording of the raise of Cora Schaeff that if a \$4,000 raise is voted that it should result in an annual salary of \$45,000.00. Discussion. Gina Harder moved to award the \$4,000 raise with an annual salary total of \$45,000. Georgie Murray seconded the motion. Yea: Murray, Harder, Sanders. Nay: Dunn, Diaz. Motion carried 3 to 2.

DISCUSSION ITEMS:

A. New Township Website Proposal: Gina Harder

After sending out web-site design requests to multiple designers, we heard from four and one of them was too busy. The remaining three are: STG, Rockwell and PayGov. PayGov did not fit our desires, so only two remained. Rockwell is from Leelanau County, does logo and uses a Word Press platform but no pictures. S.T.G has drone video as well as pictures with more pages and document links and also uses the Word Press platform. Cost is \$9,000 Rockwell and \$2,995 for S.T.G. Both include set-up. S.T.G has a maintenance option for \$275/year. No information on Rockwell regarding maintenance. Both companies' platforms are very user friendly. Q & A. Board will vote on this at the next meeting under Action Items.

B. EMS Reserve Pool Pay Increase: Hugh Cook

1. The township voters want more people per shit. Reserve pool are non-union employees. Suttons Bay pays \$18/hr for EMT and \$20/hr for Paramedic. We pay \$15/hr for EMT and \$17 for Paramedic. Cook is asking for their pay to be raised to \$17 and \$20 per hour respectively. Cook also asked this be an Action Item at the next regular board meeting. At this point, there are only two people in our reserve pool.

2. Union – firefighters/paramedics – all local areas are hiring with an \$8,000 more per year than our pay rate. The next meeting of this board is not until August, do we wait or open negotiations now? Discussion. Wages tend to outweigh a benefit package. The union reps want to meet with Hugh Cook and John Sanders. Does the board support a special meeting? Does the board approve Sanders and Cook to sit down with the firefighters/paramedics union people? The full board approved Sanders and Cook to meet with the union representatives.

C. State Of Emergency Status: John Sanders

The County level expires at the end of June and John feels we can follow suite. The Board will meet in person and the public can still Zoom in to the meeting. Being we will have to adhere to appropriate numbers of people within the meeting room, if one person over that allowed number comes physically to the meeting, it will have to be cancelled. Discussion.

PUBLIC COMMENT:

Doug Whitley inquired about the date, time and details for the dedication ceremony at Woolsey Airport. He also commented that the Union contract was approved in fall of 2020 and was very recent. Ben Purdy announced that the Woolsey Airport dedication ceremony for the Woolsey family and plaque is July 14 and begins at noon. There will be a Coast Guard fly over at 12:15pm.

CORRESPONDENCE & ANNOUNCEMENTS:

There will not be a formal Leelanau Township Board meeting in July 2021.

ADJOURN:

Denise Dunn moved to adjourn the meeting. John Sanders seconded the motion. Meeting adjourned at 6:53pm.

NEXT REGULAR MEETING OF THE LEELANAU TOWNSHIP BOARD:

June 8, 2021, 5:30pm, via ZOOM.



Leelanau Township Fire Department

100 W. Eighth St
Northport MI, 49670
(231) 386-9073

July 2021 Run Report & June and July Total Runs

Fire - Incident Types with Monthly and Annual Breakdown

Date: Sunday, August 1, 2021
Time: 7:37:57 AM

Alarm Date between 7/1/2020

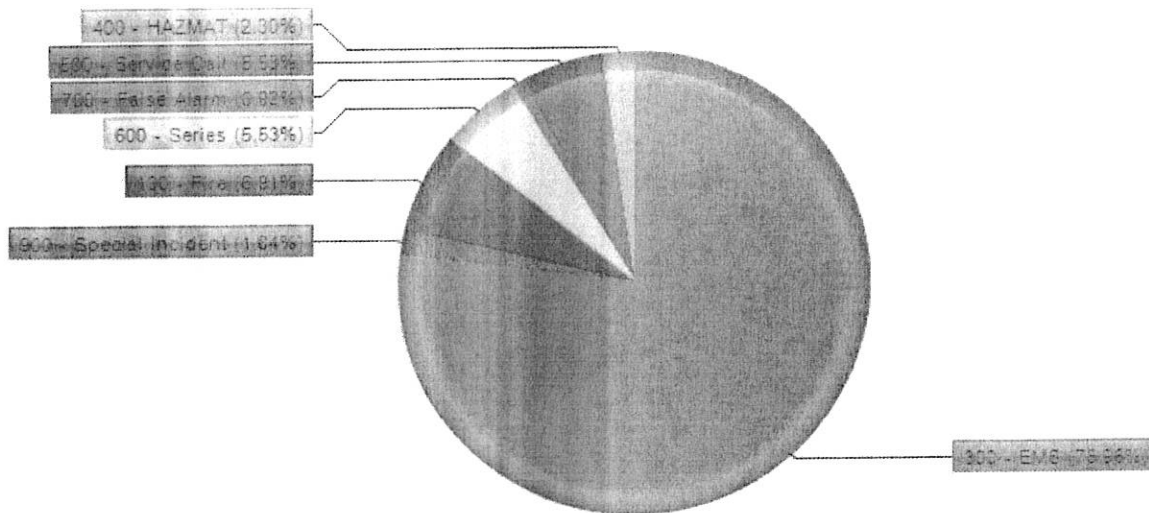
and 8/1/2021

Run

Run and Hide Parameters

Incident Type Group	2021	Total
300 - EMS	167	167
900 - Special Incident	4	4
100 - Fire	15	15
600 - Series	12	12
700 - False Alarm	2	2
500 - Service Call	12	12
400 - HAZMAT	5	5
Annual Total	217	217

Incident Type Group	2021-01-01	2021-02-01	2021-03-01	2021-04-01	2021-05-01	2021-06-01	2021-07-01	Total
300 - EMS	25	17	23	19	23	29	31	167
900 - Special Incident	1	0	0	0	0	0	3	4
100 - Fire	3	3	2	1	1	2	3	15
600 - Series	1	0	3	1	2	2	3	12
700 - False Alarm	0	1	0	0	0	0	1	2
500 - Service Call	0	2	0	2	3	5	0	12
400 - HAZMAT	0	0	0	1	0	1	3	5
Monthly Total	30	23	28	24	29	39	44	217





Alarm Date between 7/1/2021



and 8/1/2021

**Run****Run and Hide Parameters**

Incident Type Details	2021-07-01 Total	
611 - Dispatched & canceled en route	2	2
321 - EMS call, excluding vehicle accident with injury	30	30
100 - Fire, other	2	2
444 - Power line down	2	2
324 - Motor vehicle accident with no injuries.	1	1
622 - No incident found on arrival at dispatch address	1	1
700 - False alarm or false call, other	1	1
142 - Brush or brush-and-grass mixture fire	1	1
911 - Citizen complaint	3	3
412 - Gas leak (natural gas or LPG)	1	1
Total	44	44



Alarm Date between 6/1/2021



and 8/1/2021

**Run****Run and Hide Parameters**

Incident Type Details	2021-06-01	2021-07-01	Total
321 - EMS call, excluding vehicle accident with injury	25	30	55
342 - Search for person in water	1	0	1
551 - Assist police or other governmental agency	4	0	4
322 - Motor vehicle accident with injuries	2	0	2
324 - Motor vehicle accident with no injuries.	1	1	2
444 - Power line down	1	2	3
611 - Dispatched & canceled en route	2	2	4
111 - Building fire	1	0	1
500 - Service Call, other	1	0	1
100 - Fire, other	1	2	3
622 - No incident found on arrival at dispatch address	0	1	1
700 - False alarm or false call, other	0	1	1
142 - Brush or brush-and-grass mixture fire	0	1	1
911 - Citizen complaint	0	3	3
412 - Gas leak (natural gas or LPG)	0	1	1
Total	39	44	83

LEELANAU TOWNSHIP BOARD
ZONING ORDINANCE AMENDMENT 20-001

**Zoning Amendment to add Article 22 – Signs,
to the Leelanau Township Zoning Ordinance
and**

Rescind Existing Ordinance 91-01 – Leelanau Township Sign Ordinance

August 10, 2021

Content of Packet:

- **Proposed Language for Adoption**
- **Leelanau County Planning Staff Report**
- **Excerpt of Leelanau County Planning Commission Minutes**

Background:

The Leelanau Township Planning Commission (LTPC) started discussing sign standards a few years ago due to the following considerations:

- The existing township sign ordinance (91-01) is not “content neutral” as required by United States Supreme Court Decisions.
- The Planning Commission felt that the current sign standards needed upgrading.
- The Planning Commission felt that the new standards should be incorporated into the zoning ordinance rather than a township police power ordinance.

The Leelanau Township Planning Commission did the following research:

- Looked at the Leelanau County Model Sign Ordinance prepared by the sign committee.
- Looked at recent sign standards adopted by Bingham Township and Elmwood Township.
- A planning commission member toured the township and created a log of existing signs in the township and sizes. This chart was extremely helpful to the PC.
- The township zoning administrator has been monitoring the size and number of political signs erected during recent campaign seasons.
- The PC worked to incorporate Dark-Sky standards into the new language.

The PC felt that Leelanau Township does not currently have a sign problem, including political signs, and worked to make existing businesses, farms, and political organizations conforming to the new language.

They also felt that larger parcels should be allowed to have some additional signage.

The Planning Commission conducted a Public Hearing on January 23, 2020. The Hearing was continued on March 12, 2020. There was very little public comment.

On March 12, 2020 the Sign Standards were approved for submittal to the Leelanau County Planning Commission for review.

- The typo mentioned by Leelanau County Planning Staff in Section 22.5 has been corrected.
- Staff corrected a section numbering error starting with Section 22.6.

Suggested Motion:

Motion to approve Leelanau Township Ordinance No. 21-_____ to amend the Leelanau Township Zoning Ordinance by adding Article 22 – Signs, and Rescind existing Ordinance #91-01, Leelanau Township Sign Ordinance.

Or

Motion to send proposed Article 22 back to the Planning Commission for review based upon the following observations:

ARTICLE 22 SIGNS

SECTION 22.1 PURPOSE

“The purpose of this ordinance Article is to regulate signs and outdoor advertising in a manner which will minimize their harmful effects while permitting maximum latitude for creative and effective identification and communication. Regulations promote traffic and pedestrian safety, preserve the scenic integrity of the natural environment, and protect the aesthetic quality and character of the Township. In conformance with United States Supreme Court decisions, it is not the intent or purpose of this Article to regulate the message or content displayed on signs. Signs may be erected or maintained in the Township of Leelanau only as permitted by this Article and subject to all restrictions contained herein.

The objectives (*goals that the regulations are meant to accomplish*) of this Article are:

1. To promote a quality manner of display which enhances the aesthetic character of the township, minimizes the impact on the landscape, is protective of scenic areas, viewsheds and the dark night sky;
2. To keep signs within a reasonable scale with respect to the buildings they identify or to which they relate;
3. To keep the number of signs and sign messages at the level reasonably necessary to identify a business and its products;
4. To reduce visual distractions and obstructions to the public while traveling along, entering or leaving streets and roads;
5. To prevent the placement of signs in a manner that will conceal or obscure signs of adjacent businesses;
6. To prevent off-premise signs from conflicting with business, residential and public land uses; and
7. To prevent the proliferation of temporary signs which might promote visual blight.
8. Regulate signs based upon factors other than message or content of the sign.

SECTION 22.2 DEFINITIONS

SIGN: Any device, structure, fixture, banner, placard or other object used for the display of any message.

SIGN AREA: See Section 22.6 A

REGULATED SIGN: Any Sign that is not exempted by Section 22.3.

TEMPORARY SIGN: Any regulated sign that is located on a parcel for a period of less than 60 days continuously, and less than a total of 120 days in a calendar year.

PERMANENT SIGN: Any regulated sign that is located on a parcel for more than 60 days continuously, and more than a total of 120 days in a calendar year.

MURAL: An artistic image or design that does not contain a written text or convey a commercial message.

PORTABLE SIGN: a sign placed on the ground which is portable and not anchored or secured.

WALL SIGN: a sign mounted on or otherwise displayed on the surface of a wall.

UNALTERED GRADE: grade or topography existing prior to any excavation, clearing, grading, or filling.

FLAG: An item made of non-rigid material having a distinctive size, color and design used as a symbol or emblem.

GROUPED PERMANENT SIGNS: A group of more than two Permanent Signs on the same Parcel installed within a 200' radius of each other in the Commercial or Industrial Zoning District.

CHANGEABLE COPY SIGN: A sign or portion thereof on which the copy or symbols change automatically through either electrical or electronic means. These include message center signs, digital displays, and Tri-Vision Boards.

CORRELATED COLOR TEMPERATURE (CCT): A unit of measure for light color, measured in degrees, based on the Kelvin temperature scale (K). Color temperatures over 3500 K are called cool, or daylight colors, while lower color temperatures (2700-3000) are considered warm colors.

ILLUMINATED SIGN: A sign with electrical equipment installed for illumination, either internally illuminated through its sign face by a light source contained inside the sign, or externally illuminated by a light source aimed at its surface.

FULLY SHIELDED: An outdoor fixture constructed and mounted so that the installed fixture emits no light above the horizontal plane passing below the fixture.

GLARE: Lighting entering the eye directly from luminaries or indirectly from reflective surfaces that causes visual discomfort or a disability loss in visual performance or visibility.

LIGHT TRESPASS: Any direct light falling beyond the legal boundaries of the property it is intended to illuminate.

SKYGLOW: Brightening of the nighttime sky caused by light directed or reflected upwards or sideways.

SECTION 22.3 SIGNS EXEMPT FROM REGULATION

- A. Signs required by, erected by or at the direction of a government, governmental agency, or public utility.
- B. Not visible to motorists or pedestrians on any road, water body, public lands, or adjacent parcel(s).
- C. Signs less than 1.25 square feet in size.
- D. Murals.
- E. Flags
- F. Signage painted on or integral to vending machines, fuel dispensing pumps or working fuel storage tanks.

SECTION 22.4 PROHIBITED SIGNS

The following are prohibited:

- A. Regulated Signs placed or painted on trees, natural features, utility poles and light poles.
- B. For the safety of the general public, no spinners, strings of pennants, sail flags, inflatable signs or objects may be used.
- C. Changeable copy signs, as defined herein.

SECTION 22.5 SIGNAGE ALLOWED PER ZONING DISTRICT

The total number of signs allowed per parcel, maximum height, sign area, and illumination is determined by the zoning district in which the parcel is located.

The following tables contain these requirements for each zoning district:

TABLE 22.5.A

Agricultural and Residential Conservation District Sign Standards

<u>Agricultural and Res. Conservation Districts</u>	Permit Required	Illumination	Maximum Height (feet)	Maximum Sign Area Per Sign (square feet)	Max. Total Sign Area Per Parcel (square feet)
Temporary Sign	No	Not allowed	5	32	100
Permanent Sign	Yes	Allowed see Section 22.7	8	24	75 (see note 1)
Portable Sign	No	Not allowed	4	12	Total of 2
Wall Sign	Yes	Allowed see Section 22.7	Below eave line	24 (See note 2)	75 (See note 2)

- (1) For Parcels with more than 500' of public road frontage, the maximum allowable total sign area per parcel is multiplied by 1.5.
- (2) Wall signs that are set-back a minimum of 200' from the Front Property Line may be increased to a maximum size of 48 square feet.

TABLE 22.5.B

Residential District Sign Standards (R-1, R-2, R-3, R-4)

<u>Residential Zoning Districts</u>	Permit Required	Illumination	Maximum Height (feet)	Maximum Sign Area Per Sign (square feet)	Maximum Total Sign Area per parcel (square feet)
Temporary Sign	No	Not Allowed	5	24	50
Permanent Sign	No	Not Allowed	6	12	12
Wall Sign	No	Not Allowed	Below eave line	12	12

**TABLE 22.5.C
Commercial and Industrial District Standards**

Commercial and Industrial Districts	Permit Required	Illumination	Maximum Height (feet)	Maximum Sign Area Per Sign (square feet)	Maximum Total Sign Area Per Parcel (square feet)
Temporary Sign	No	Not Allowed	5	32	100
Permanent Signs (see note 2 for Grouped Signs)	Yes	Allowed see Section 22.7	8	24	48 (see note 1)
Portable Sign	No	Not Allowed	4	12	maximum 1 sign
Wall Sign	Yes	Allowed see Section 22.7	Below eave line	Per wall - 24 sft or 10% of wall area, whichever is least.	Maximum 2

(Note 1) For Parcels in the Commercial or Industrial Zoning District with more than 500’ of public road frontage, the maximum allowable total sign area per parcel is multiplied by 1.5.

(Note 2) Grouped Permanent Signs in the Commercial or Industrial Zoning District shall be considered a Special Land Use subject to Planning Commission Review.

SECTION 22.5 22.6 PORTABLE SIGN REGULATIONS

Portable signs are allowed in the Agricultural, Commercial, & Industrial Districts, subject to the limits specified for each district. Such signs are not to be counted in the maximum allowable sign area on the parcel. Portable signs must comply with the following standards:

- A. One portable sign may be displayed per business.
- B. Maximum size of ~~eight~~ *twelve* (12) square feet with a maximum height of four (4) feet.
- C. Can only be displayed during hours of operation.
- D. Cannot be permanently affixed to the property.
- E. May not be illuminated.
- F. Shall not obstruct vehicular or pedestrian traffic.

SECTION 22.6 22.7 REGULATIONS THAT APPLY TO ALL SIGNS

- A. The Sign Area shall be calculated based upon the following:
1. Structural elements necessary for the support of the signs shall not be included in the square footage computation so long as they are separate from the sign face by a reveal or a change in materials.
 2. Square footage calculation shall include such elements as decorative borders, top caps, and drop signs.
 3. For a sign painted or applied to a building, wall or window shall be considered to be that of the smallest rectangle or other geometric shape which encompasses all of the letters, symbols and designs.
 4. When a sign has two (2) or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back-to-back or placed no greater than a 60-degree angle from each other.
- B. All signs shall be installed only with the prior approval of the property owner. All signage on a parcel will be counted towards the total allowable signage regardless of who placed the sign.
- C. Any sign installed in a dedicated road right-of-way or public road easement must have the permission of the appropriate road agency. It is the responsibility of the property owner and sign installer to meet any and all applicable standards of the road agency.
- D. All signs and sign structures shall be maintained in good, safe, structural condition and repair. All signs and display surfaces shall be neat in appearance and neatly painted or posted, and not ripped, tattered or faded. Premises immediately surrounding fixed signs shall be kept clean and free of rubbish, weeds and debris.
- E. Once the purpose of the sign has ended, the sign and supports shall be removed.
- F. Height of any sign shall be measured from the un-altered grade as defined herein.

SECTION 22.7 22.8 ILLUMINATION OF SIGNS

Illuminated signs, where allowed by this Article, shall not create glare or unduly illuminate the surrounding areas or the night sky. Limiting light emission is encouraged. The following provisions shall apply to signs that are permitted elsewhere in this Article.

- A. For the safety of the general public, no unshielded light, lights directed upward or horizontally at sign faces, flashing lights, scrolling or moving electronic lights, searchlights, or other distractive devices shall be used in conjunction with any sign or business.
- B. Sign illumination shall not create glare, visual clutter, light trespass on adjacent properties, contribute to sky glow, distract motorists, or otherwise create a traffic hazard.

- C. If allowed in the district, signs can be illuminated by one of three manners:
- (1) External Illumination: A fully shielded light shining downward onto the sign following an imaginary horizontal plane passing below the fixture.
 - (2) Internal Illumination: A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Only sign text areas and logos may be illuminated and shall remain static. Non-text portions of the sign shall be made of completely opaque material.
 - (3) Halo Illumination- also known as back-lit illumination: A sign using a 3-dimensional message, logo, etc. which is lit in such a way as to produce a halo effect around sign text. The light source shall only allow indirect illumination to emanate from the sign.
- D. The source of any sign light shall not be visible to vehicles or pedestrians on any road, alley, water body, public land, adjacent parcels, or in the air above the illumination.
- E. The correlated color temperature (CCT) of lamps shall not exceed 3000 Kelvin.
- F. The luminous/illuminated surface area of an individual sign shall not exceed 24 square feet.
- G. The luminance (brightness) levels for operation between sunset and sunrise shall not exceed 20 nits (20 candelas/square meter) as measured under conditions of a full white display.
- H. Underground wiring shall be required for all illuminated signs that are not attached to a building.
- I. Illuminated signs shall be turned off at the close of business hours. Signs may be turned on 30 minutes before the opening of the business.

SECTION 22.8 22.9 NON-CONFORMING SIGNS

- A. Subject to the other restrictions of this Section, nonconforming signs that were otherwise lawful on the effective date of this Article may be continued, repaired, re-painted and maintained as is necessary to keep in a sound condition.
- B. The nonconformity of a sign and/or its structure may not be increased. Illumination may not be added to a nonconforming sign.
- C. A nonconforming sign and/or its structure may not be moved except to bring the sign into greater conformity with this chapter.
- D. If a nonconforming sign is destroyed to the extent it is impractical to be restored using a majority of its existing major components, it may not thereafter be repaired, reconstructed or replaced except in conformity with all the provisions of this chapter, and the remnants of the former sign structure shall be cleared from the land.
- E. If the color, name, message, or support structure of a nonconforming sign is changed, then the sign must meet the requirements of this Article.

TEXT AMENDMENT REVIEW

PC03-21-08 Leelanau Township

Text Amendments – Article 22, Signs

Reviewing Entity: Leelanau County Planning Commission
Date of Review: April 27, 2021

SECTION 1: GENERAL INFORMATION

Date Request Received: March 23, 2021 for text, April 22, 2021 for the Memo and township planning commission minutes.

Last Day of Review Period: 30-day review period under the Michigan Zoning Enabling Act.

Requested Action: Review and comment on proposed amendment to the proposed addition of new Sign regulations for the Leelanau Township Zoning Ordinance.

Applicant: Leelanau Township Planning Commission

SECTION 2: PROPOSAL

See Appendix for a copy of the proposed text amendment.

SECTION 3: OTHER PLANNING INPUT

Township Plan: The Leelanau Township Master Plan does not specifically address this amendment.

Leelanau General Plan: The Leelanau General Plan (2020) does not specifically address this amendment.

Township Planning Commission:

A public hearing was held on January 23, 2020, and then continued on February 13, 2020, (staff could not obtain copies of the minutes from these prior meetings, prior to this report being completed), and then continued on March 12, 2020. (Minutes attached) Following the public hearing, the township planning commission passed the following motion.

Motion by Johnson to approve the Sign Standards Zoning Amendment with the minor changes made tonight and forward to the Leelanau County Planning Commission for review and comments. The County Planning Commission comments will be discussed by this Commission at a future meeting before the amendment is forwarded to the Township Board.

Seconded by Mulvahill.

Discussion: None

Motion carried by voice vote.

SECTION 4: ANALYSIS

Compatibility

A. Is the proposed text compatible with other language in the zoning ordinance? Yes

B. Are there any issues with the proposed text (such as poor wording, confusing text, unenforceable language, etc.)? See staff comments.

C. Do the land uses or other related dimensional standards (height, bulk, area, setback, etc.) in the proposed text amendment(s) conflict with the existing zoning ordinance? No

Issues of Greater Than Local Concern

A. Does the proposed text amendment(s) include any issues of greater than local concern? Please list.
No

Comparison with Local Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the community's plan? Please list.
No

Comparison with County Plans or Ordinances

A. Do the contents in the proposed text amendment(s) conflict with the General Plan? Please list.
No

Current Zoning District:

For Current text, Link to the Township Sign Ordinance at: <https://www.leelanau.cc/leelanautwp.asp>

SECTION 5: HISTORY

The following section summarizes the ruling by the Supreme Court regarding signage (*Reed v. Town of Gilbert, June 18, 2015*), the formation of the Leelanau County Sign Advisory Group (SAG) and development of a model Draft Sign Ordinance.

The United States Supreme Court passed a ruling on June 18, 2015 which has affected every signage ordinance in the Townships and Villages in Leelanau County. The essence of that is that no signs can be regulated according to their content. Other criteria such as size, location, number, set-backs, illumination, color, etc. can be used as criteria in ordinances.

Kurt Schindler, (retired) MSUE Senior Educator, Land Use provided a presentation on signs during the 2016 Spring Planning Session hosted by the County Planning Commission. Schindler outlined details including the type of amendments necessary to address the legality of our Townships' and Villages' sign ordinances (in the context of the Supreme Court ruling). In his presentation, Schindler noted that all of the townships and villages in Leelanau County had ordinance language that was out of compliance in 2016 with the Supreme Court ruling. Schindler also noted that if you have to 'read' a sign to determine what kind of sign it is, then you are not treating the sign as 'content neutral'. Example: you read a sign and determine it is a real estate sign. Instead, the sign should be considered a 'temporary sign' with no reference to what the content is on the sign.

Following the Annual Session, a subcommittee was formally approved by the County Planning Commission to propose a Draft Sign Ordinance which the individual Townships and Villages could consider for adoption. The *Sign Advisory Group* (SAG) was comprised of County Planning Commission Members, Township Planners and Zoning Administrators, an attorney and a realtor. It was recommended that Local Townships and Villages use the Draft Signage Ordinance for consideration. It was also recommended that proposed ordinances be reviewed by legal counsel with experience in the new regulations related to signage. The Draft Sign Language created by the Sign Advisory Group (SAG) was sent to every township and village in Leelanau County in September of 2016, for their consideration in amending their ordinances. Several municipalities in Leelanau County have since amended their zoning ordinances with regard to Signs.

SECTION 6: STAFF COMMENTS

Leelanau Township is proposing adding Sign regulations to its township zoning ordinance, and rescinding the Sign Ordinance 91-1 (Amended through June 15, 1996). Ordinance 91-1 is known as a 'police power ordinance or just called 'an ordinance'. Zoning and police power ordinances are not the same. A zoning ordinance must be based on a master plan. Police power ordinances do not have such a requirement. A police power ordinance does not regulate the 'use of land', it regulates an 'activity'. A zoning ordinance regulates 'use of land' and it might also

regulate an ‘activity’. There is a difference in the process to adopt a police power ordinance vs a zoning ordinance.¹

It is noted by Leelanau Township that they have been discussing sign standards for a while now due to the fact that the current sign ordinance is not “content neutral” and the township planning commission felt the new standards should be incorporated into the zoning ordinance rather than a township police power ordinance. The proposed amendment will **Add Article 22 – Signs** to the Leelanau Township Zoning Ordinance and rescind existing Leelanau Township Sign Ordinance 91-01.

(**Staff Note:** Leelanau County repealed the Leelanau County Zoning Ordinance in 2020 and worked with its attorney on the process. The process to repeal the ordinance had to follow the same process to adopt it. To complete this step, an **Ordinance to Repeal the County Zoning Ordinance** was prepared, adopted and published. If Leelanau Township wishes to rescind/repeal its Sign Ordinance 91-01, they should verify the process to complete this step.)

The proposed Leelanau Township Sign regulations are quite similar to the regulations proposed by the Sign Advisory Group (SAG) in 2016. The township has added regulations on Illumination of signs, and Non-conforming Signs.

Section 22.5(B) reads “Maximum size of **eight (12)** square feet with a maximum height of four (4) feet.” Is the maximum size eight (8) or twelve (12) square feet?

The township is commended for proposing changes to their sign regulations in order to be in compliance with content neutral regulations. Prior to adopting Sign Regulations as part of the township zoning ordinance, township officials may wish to sign up for the ‘Michigan Sign Regulation Guidebook Training’ to be held on May 12. This session is being presented by Michigan State University Extension. Recent court decisions further reduce local zoning authority (potentially) to limit on and off premise signs, commercial and non-commercial speech. And, the advancement of digital sign technology presents new challenges. The website for information and registration is: <https://events.anr.msu.edu/signs> It may be beneficial for township officials to participate in this training, prior to taking any final action on Sign regulations.

With regard to Public Hearings, it is important to make sure proper procedure is followed. Staff did not have the minutes from the January or February township planning commission minutes prior this staff report being completed. It is staff’s understanding that a Public Hearing can be recessed if the time and place is announced during the initial meeting. If the January Public Hearing was recessed to February and then to March, this step would need to occur at each subsequent Public Hearing. If not, the required notices may be required again for the next hearing. Also, Public Hearings should be noted in the minutes as ‘Opened, Closed’ and then action/motion is recorded. The minutes from the March meeting show the Public Hearing opened and a motion passed, but does not show the Public Hearing being closed. The motion should occur after the Public Hearing is closed.

If there are any questions regarding proper procedure being followed, the township may wish to check with their legal counsel on this issue, prior to the Township Board taking final action.

¹ Michigan State University, **Zoning and police power ordinances are not the same**, Kurt H. Schindler, June 19, 2014.

A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, APRIL 27, 2021, AT THE LEELANAU COUNTY GOVERNMENT CENTER.

Proceedings of the meeting were recorded and are not the official record of the meeting. The formally approved written copy of the minutes will be the official record of the meeting.

Meeting was called to order at 5:32 p.m. by Chairman Yoder who led the Pledge of Allegiance. The Meeting was held at the Leelanau County Government Center, 8527 E. Government Center Dr., Suttons Bay, MI and via ZOOM.

ROLL CALL

Members Present: R. Miller (Cleveland Twp.), T. Nixon (Suttons Bay Twp.)
(via ZOOM) K. Todd (Leelanau Twp.), N. Griswold (Elmwood Twp.),
C. Noonan (Empire Twp.)

Members Present: S. Yoder, G. Carlson, M. Black, M. Lautner, A. Trumbull
(At Government Center)

Members Absent: D. Hubbell
(prior notice)

Staff Present: G. Myer, Senior Planner
(At Government Center)

Public Present: None
(At Government Center)

Public Present: S. Patmore (Leelanau Twp.)
(via ZOOM)

Yoder updated members on the most recent guidelines sent out by the Michigan Department of Health and Human Services (MDHHS) requiring that all individuals present at board meetings wear a face mask throughout the entire meeting. This does not exclude elected officials, but since they are elected, they may do as they wish. Yoder respectfully requested that all members present wear a mask throughout the entire meeting if possible.

CONSIDERATION OF AGENDA

Motion by Lautner, seconded by Noonan, to accept the agenda as presented. Motion carried 10-0.

CONFLICT OF INTEREST – None.

PUBLIC COMMENT

The phone number for public comment was announced.

No comments received.

STAFF COMMENTS

Myer mentioned the CIP and stated that since there were no new items to add this year, some minor updating was needed and it would be ready for review next month.

CONSIDERATION OF MARCH 23, 2021 MEETING MINUTES

Griswold requested changes be made to his comments on page 6, under "Commissioner & Chairperson Comments." He would like his comments to read as follows:

"He believes STR's are a good thing for this county and that they can provide a much-needed income stream into our community. He would like to see a resolution in support of incentive-based and creative zoning. Griswold offered to assist with setting up this training."

Motion by Trumbull, seconded by Black, to accept the minutes as amended. Motion carried 10-0.

NEW BUSINESS

PC03-21-08 Leelanau Township - Signs.

S. Patmore stated they currently have a stand-alone Sign Ordinance which doesn't meet the content neutral requirements and has not been updated since 1991. Leelanau Township has been working on this amendment for at least two years, and they want to make it a part of their Zoning Ordinance instead of a Police Power Ordinance. Patmore said they started by looking at the Leelanau County model sign ordinance, and Bingham and Elmwood Townships' standards. A member of the Leelanau Township Planning Commission toured the township, making a list of all of the business signs and the sizes, which was used in their decision-making process. They have also been monitoring the size and number of political signs. Dark sky standards were incorporated into the new language. Patmore continued, saying the Planning Commission didn't feel that the township had a current sign problem, they just wanted to upgrade in order to meet the Supreme Court decision and make things workable for the community. Patmore pointed out that these sign standards do not apply to the Village of Northport.

Patmore continued, saying they had a Public Hearing in January of 2020, which continued into February and March because commissioners kept thinking of things. They had very little public comment, and the commissioners feel that the County Planning Commission would be a good set of eyes to review this. Patmore said the township realizes that this needs a little more work, and they would like to get more public input. He mentioned the upcoming sign training and stated they would attend that. Patmore concluded by saying they will probably have another public hearing on this.

Myer reviewed the staff report, saying the request to review the text was received on March 23, 2021 and the request to review the memo and township planning commission minutes was received on April 22, 2021. Following a Public Hearing on January 23, 2020, which was continued on February 13, 2020 and continued on March 12, 2020, the township planning commission passed a motion to forward the amendment to the County Planning Commission for its review and comments.

Myer continued, saying Leelanau Township is proposing adding Sign regulations to its township zoning ordinance, and rescinding the Sign Ordinance 91-1 (Amended through June 15, 1996). Ordinance 91-01 is known as a 'police power ordinance or just called 'an ordinance'. Zoning and police power ordinances are not the same. A zoning ordinance must be based on a master plan. Police power ordinances do not have such a requirement. A police power ordinance does not regulate the 'use

of land', it regulates an 'activity'. A zoning ordinance regulates 'use of land' and it might also regulate an 'activity'. There is a difference in the process to adopt a police power ordinance vs a zoning ordinance.

Myer continued, saying the proposed amendment will Add Article 22 – Signs to the Leelanau Township Zoning Ordinance and rescind existing Leelanau Township Sign Ordinance 91-01. The process to repeal the ordinance had to follow the same process to adopt it. If Leelanau Township wishes to rescind/repeal its Sign Ordinance 91-01, they should verify the process to complete this step. Myer said the proposed Leelanau Township Sign regulations are quite similar to the regulations proposed by the Sign Advisory Group (SAG) in 2016. The township has added regulations on Illumination of signs, and Non-conforming Signs.

Myer pointed out the following typo: Section 22.5(B) reads “Maximum size of eight (12) square feet with a maximum height of four (4) feet.” Is the maximum size eight (8) or twelve (12) square feet?

Myer continued, saying the township is commended for proposing changes to their sign regulations in order to be in compliance with content neutral regulations. Prior to adopting Sign Regulations as part of the township zoning ordinance, township officials may wish to sign up for the ‘Michigan Sign Regulation Guidebook Training’ to be held on May 12. Recent court decisions further reduce local zoning authority (potentially) to limit on and off premise signs, commercial and non-commercial speech. And, the advancement of digital sign technology presents new challenges. It may be beneficial for township officials to participate in this training, prior to taking any final action on Sign regulations.

Myer said with regard to Public Hearings, it is important to make sure proper procedure is followed. Staff did not have the minutes from the January or February township planning commission minutes prior this staff report being completed. It is staff’s understanding that a Public Hearing can be recessed if the time and place is announced during the initial meeting. If the January Public Hearing was recessed to February and then to March, this step would need to occur at each subsequent Public Hearing. If not, the required notices may be required again for the next hearing. Also, Public Hearings should be noted in the minutes as ‘Opened, Closed’ and then action/motion is recorded. The minutes from the March meeting show the Public Hearing opened and a motion passed, but does not show the Public Hearing being closed. The motion should occur after the Public Hearing is closed. Myer concluded by saying if there are any questions regarding proper procedure being followed, the township may wish to check with their legal counsel on this issue, prior to the Township Board taking final action.

Lautner asked for clarification regarding the error pointed out in the staff report in Section 22.5(B). Patmore stated he would have to check into that.

Miller said the definition of a mural says it does not contain written text or convey a commercial message. What if you have a picture of sleeping bears and it said “Sleeping Bear”, is that a sign or a mural? Patmore said it depends on if “sleeping bear” is a business. This is geared more towards quotes on a barn. They didn’t want them to be construed as a sign. Patmore continued, saying that if “Sleeping Bear” is the business that is there, then yes, that would be conveying a message. If “Sleeping Bear” is unrelated to the property then it would be considered a mural. Miller stated, then what you consider a written sentence, is prohibited as a mural is defined. Patmore said their intent is not to regulate art.

Miller continued, asking if a flag has words on it, is it a sign? Patmore said no, the planning commission spent a lot of time on flags. They don’t have a problem with them, so they are exempt.

Miller stated that a bedsheet hung up could be called a flag and say whatever on it and it could be considered a commercial sign. Patmore said that if you have to read the flag to figure out what kind of sign it is, then it's not content neutral. The planning commission made the decision that they didn't even want to try and regulate flags. Miller said that it is open for abuse in his opinion. Patmore agreed, someday someone will abuse that, but they didn't want to regulate flags.

Miller continued, saying 22.5.A Table says it's measured from the ground. If the bottom of a sign is two foot above grade, then a six-foot sign is maximum? Patmore stated a note was added which reads "The height of a sign is measure from the un-altered grade." Miller said, then if the grass is two foot high, you need to have the sign two foot above grade in order for people to see it. This would mean an eight-foot-high permitted sign would only be a visible six-foot sign. Patmore said the measurement is from grade, not grass. They are assuming that if a person wants their sign to be seen, they would be responsible for mowing the grass.

Nixon stated that the language was pretty clear and that he was impressed by the person running around the township taking note of all of the signs. He also pointed out on the first page of the proposed amendment, there are quotation marks at the beginning of the paragraph that are not needed and on page two, "Changeable Copy Sign" is in italics and shouldn't be.

Todd commended the township for incorporating dark sky provisions.

Griswold said more and more, flags are being used for political purposes and he knows political signs are temporary. A flag, if exempt, could be a political sign flown year-round. Patmore stated they had a lot of discussion on freedom of speech and flags.

Yoder said the draft was very well done and he concurs with staff regarding the public hearing process.

Motion by Lautner, seconded by Black, to forward staff report, minutes and all comments to Leelanau Township Planning Commission. Motion carried 10-0.

Training Topics for fall session/Referral to Education Committee

Yoder said they would like to do a fall training session for local townships and municipalities. Some possible topics were included in the agenda packet and he would like everyone's top two choices.

Black – short term rentals and solar.

Lautner – farm markets, Generally Accepted Agricultural and Management Practices (GAAMPs), how to fit value added businesses into your community and crime prevention through environmental design. Then at some point, marijuana – the after affects, two years in.

Carlson – middle housing and solar.

Miller – GAAMPs, solar and alternative energy.

Nixon – noise ordinances, and GAAMPs.

Todd – solar and GAAMPs.

Griswold – short term rentals or alternative housing options, creative zoning and alternative energy.

Trumbull – middle housing and solar.

Noonan – signs and GAAMPs.

Yoder – middle housing, solar and alternative energy.

Yoder concluded by saying the top two choices for the Education Committee to look into are GAAMPs and solar.

NOTICE OF MEETING

A Regular Meeting of the Leelanau County Planning Commission (LCPC) will be held at **5:30 pm Tuesday, APRIL 27, 2021** in the Leelanau County Government Center and by zoom.

A live streaming of this meeting will be available for viewing via the following link –
https://www.youtube.com/channel/UCNQTglgcTedF2qB8floC1GQ?view_as=subscriber

If you would like to provide comment during the meeting, please watch the livestreamed video, and call in during one of the two public comment portions on the agenda, to **231-256-8109**. There will be no queue, and calls will be taken in the order they are received. Emailed comments are also welcome prior to the meeting, and can be addressed to: planning@leelanau.gov

Due to COVID-19, this session will be held virtually via Zoom, AND in the Commissioners Meeting Room, Leelanau County Government Center, Suttons Bay, Michigan.

(Please silence any unnecessary cellular/electronic devices)

DRAFT AGENDA

CALL TO ORDER & PLEDGE OF ALLEGIANCE

ROLL CALL

CONSIDERATION OF AGENDA

CONFLICT OF INTEREST (*refer to Section 3.7 of the Bylaws*)

PUBLIC COMMENT (Call 231-256-8109)

STAFF COMMENTS

Capital Improvement Program (CIP) Update

CONSIDERATION OF MARCH 23, 2021 MEETING MINUTES *pgs 2-7*

NEW BUSINESS

- A. PC03-21-08 Leelanau Township - Signs *pgs 8-24*
- B. Discussion – Training topics for Fall Session / Referral to Education Committee *pg 25*

REPORTS

- 1. Education Committee – *no meeting*
- 2. Housing Action Committee – *April meeting cancelled*
- 3. Parks & Recreation Committee
- 4. Report from LCPC members of attendance at township/village meetings, or Other Meetings/Trainings

COMMUNICATIONS

Webinar: Housing Ready Program – April 29 *pgs 26-27*

PUBLIC COMMENTS (Call 231-256-8109)

STAFF COMMENTS

COMMISSIONER & CHAIRPERSON COMMENTS

ADJOURN

LCPC Members

Steve Yoder, Chairman
Casey Noonan, Vice-Chairman
Melvin Black, Chair Pro-Tem
Dan Hubbell
Melinda Lautner
Gail Carlson
Robert Miller
Tom Nixon
Kim Todd
Nathan Griswold
Amy Trumbull

Leelanau Township Zoning Administrator
Leelanau Township Assessor
P.O. Box 338
Northport, MI 49670
(231) 386-5138

August 4, 2021

To: Leelanau Township Board

Re: Proposed Platted Lot Split of Lot 6,
Cathead Point Subdivision No. 1
Leelanau Township

The owners of Lot 6 want to split this vacant platted lot with half to be consolidated with Lot 5 and the other half to be consolidated with Lot 7.

A Certificate of Survey and legal descriptions were submitted showing this platted lot split.

We have reviewed this proposed platted lot split and we have no objections to the split, as it meets the Zoning Ordinance and Subdivision Ordinance.

We recommend that the township board approve this request by resolution with the following conditions:

1. The lot division must be field staked by a Surveyor (if it hasn't been done already)
2. Deeds reflecting the split of Lot 6 and the consolidation with the adjacent lots must be executed and recorded with the Leelanau County Register of Deeds.
3. This approval shall expire in ninety (90) days if the deeds are not recorded.

Attached is the resolution for board consideration, as well as a copy of the Survey, Legal Descriptions, and correspondence.

Respectfully submitted,



Steve Patmore,
Zoning Administrator,
Leelanau Township



Christy Brow,
Assessor,
Leelanau Township

LEELANAU TOWNSHIP BOARD

RESOLUTION NO. ____ OF 2020

At a regular meeting of the Leelanau Township Board held at 5:30 p.m. on August 10, 2021 at the Leelanau Township Hall, 119 E. Nagonaba St., Northport, Michigan, 49670 and by Zoom Electronic Remote Access, the following Resolution was considered:

PRESENT: _____

ABSENT: _____

The following resolution was made by _____ and seconded by _____ to-wit:

WHEREAS Cathead Point Subdivision No. 1 is located in Leelanau Township, Leelanau County, Michigan, and

WHEREAS Subject Lot 6 of Cathead Point Subdivision No. 1 is vacant, and is owned by the Diane P. DeHuff Trust, and

WHEREAS Lot 5 of Cathead Point Subdivision No. 1 is owned by MMT Leelanau Ventures, LLC, and

WHEREAS Lot 7 of Cathead Point Subdivision No. 1 is currently owned by the Diane P. DeHuff Trust, however, there is a purchase agreement in place that Lot 7 will be purchased by Dylan Finnerman, and

WHEREAS the Owners of Lot 6 of Cathead Point Subdivision No. 1 (Owners) are requesting that Lot 6 be divided with half being consolidated with Lot 5 and the other half consolidated with Lot 7, and

WHEREAS the Owners of Lots 5 and Lot 7 have purchase agreements in place to purchase and consolidate the respective halves of Lot 6 into their Lots, and

WHEREAS the Owners of Lot 6 have submitted a Certificate of Survey and legal descriptions dated _____ prepared by _____ Surveying and signed by _____, Professional Surveyor, and

WHEREAS the Leelanau Township Assessor and Leelanau Township Zoning Administrator have reviewed the Certificate of Survey showing the proposed division and consolidation and submitted a letter dated 8/04/2021, finding the request to be in compliance with the Subdivision Ordinance and Zoning Ordinance subject to certain conditions, and

WHEREAS Leelanau Township Ordinance 3 of 2009, Subdivision and Site Condominium Ordinance, as amended, Section XII, allows platted lots to be divided and/or combined with township board approval,

NOW THEREFORE BE IT RESOLVED that the Leelanau Township Board considers the above-described lot division and consolidation to be consistent with township ordinances and hereby approves said changes, subject to the following conditions:

1. The platted lot split must be field staked by a Surveyor (if it already has not been done).
2. Deeds reflecting this platted lot split and consolidation with the adjacent lots must be executed and recorded with the Leelanau County Register of Deeds.
3. This approval shall expire in ninety (90) days if the deeds are not recorded.

YES: _____

NO: _____

RESOLUTION DECLARED ADOPTED.

LEELANAU TOWNSHIP

By: _____

Monica Diaz, Township Clerk
P.O. Box 338, Northport, MI 49670

J. DANIEL BREDE
Professional Association
Attorney at Law

4781 N.W. 27th Avenue
Boca Raton, Florida 33434

Telephone (561) 241-8996
dan@jdbrede.com

July 13, 2021

TO WHOM IT MAY CONCERN:

Sirs,

I, J. Daniel Brede, am one of the Trustees of The Diane P. DeHuff Trust dated May 20, 1993 (the "Trust"). I served as Mrs. DeHuff's attorney for many years and am now serving as attorney for the Trust as well.

The other Trustee of that Trust is George B. DeHuff, III.

Mr. DeHuff and I, as the Trustees of The Diane P. DeHuff Trust dated May 20, 1993, desire to split Lot 6, Cathead Point No. 1, as recorded in Liber 4 of Plats on Page 18, Leelanau County Register of Deeds, into ~~2 separate tracts, each with 50 feet of lake frontage.~~

DISREGARD
THE CROSS-OUT
SWP

We intend to sell the south half of Lot 6 to the landowner of Lot 5 to the southwest and we intend to retain the north half of Lot 6 to sell with the home located on Lot 7 to the northeast.

For your information, the beneficiaries of the subject Trust are the children of Diane P. DeHuff (George, III and Douglas) and both are in full agreement with our plan to split Lot 6.

If you would like anything further from me, please advise. Thank you.

Sincerely,

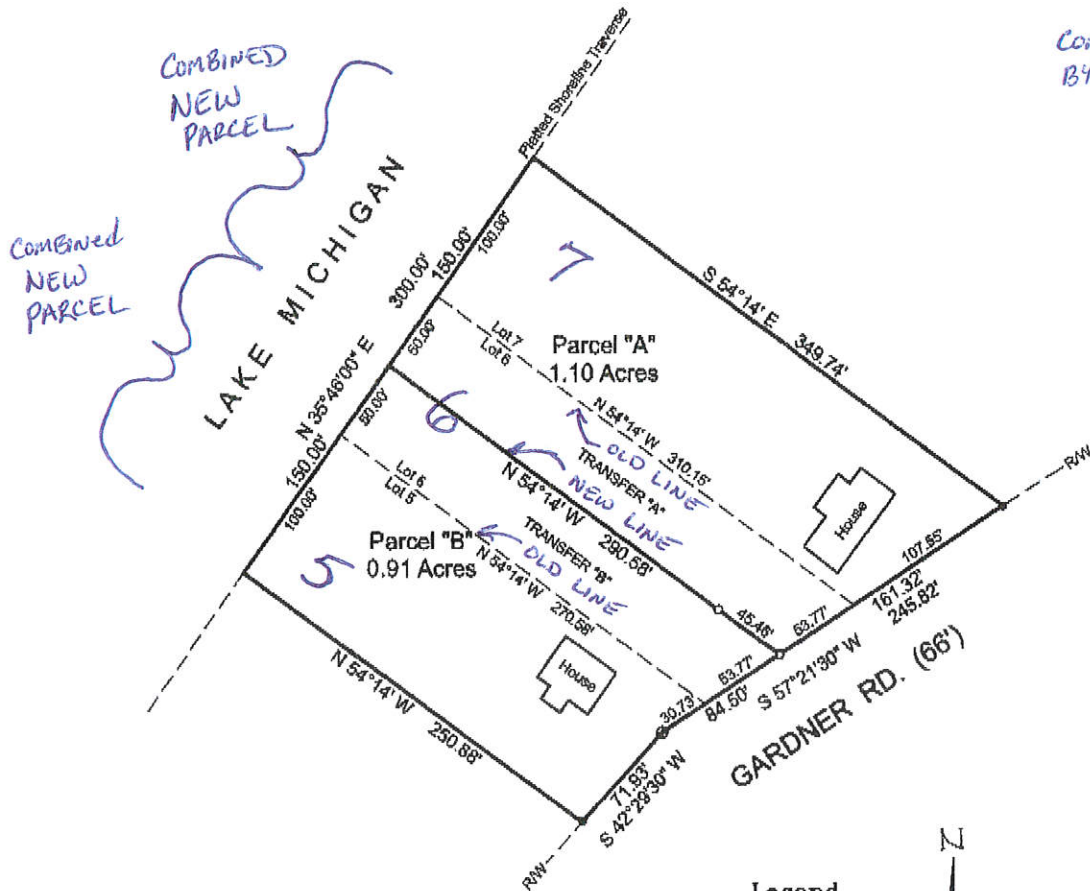


J. DANIEL BREDE

DB/

Certificate of Survey

COMMENTS
BY SWP 8/4/2021



Legend


- IRON FND
- IRON SET
- ▲ P.K. FND.
- △ P.K. SET
- ⊙ MONUMENT FND.
- (R) RECORD
- (M) MEASURED



I, Scott D. McLain, a Professional Surveyor in the State of Michigan, do hereby certify that I have surveyed and mapped the hereon described parcel(s) of land; that the ratio of closure of the unadjusted field observations is within the accepted limits; and that I have fully complied with the requirements of P.A 132 of 1970 as amended. All corners shown have a Relative Positional Precision of 0.07' + 50 ppm, unless noted otherwise.

Scott Daniel McLain
Professional Surveyor 40010 57817

Basis of Bearing: Plat of Record

 <p>Michigan Geomatics Professional Land Surveying Civil Engineering 5422 Goodrick Road Traverse City, MI 49684 (231) 325-2655 MichiganGeomatics.com</p>	For: DIANE P. DEHUFF TRUST
	Part of Gov't. Lot 1, Sec. 15, T32N, R11W, Leelanau Twp., Leelanau County, Michigan,
Date: June 3, 2021	File No: 21-3177
Drafted By: SDM	Sheet: 1 of 2

.....

From: Jane Darling <jane@darlingproperties.com>
Sent: Wednesday, August 04, 2021 9:32 AM
To: Zone Admin
Subject: DeHuff/Gardner Rd -Statement from Jane Darling to Zoning Adm

There is a purchase agreement in place that the south half of Lot 6 will be purchased by MMT Leelanau Ventures LLC, Thomas J O'keefe, Mgr, the owner of Lot 5, and will be consolidated into Lot 5 by deed. There is a purchase agreement in place that the north half of Lot 6 will be purchased by Dylan Finnerman, the owner of Lot 7 (upon closing of sale of the Diane P. DeHuff Trust to Dylan Finnerman, and will be consolidated into Lot 7 by deed.

Jane Darling
Associate Broker
Century 21 Northland

Mobile 231-645-8304
Email jane@darlingproperties.com

Website
Jane.C21Northland.com
(property search tools and valuable information)

Graduate Realtor Institute
Accredited Buyer Representative
Women's Council of Realtors
Leadership Grand Traverse

BRIGID HART

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EXPERIENCE

PROGRAM ASSISTANT, LEELANAU COUNTY, MSU EXTENSION; SUTTONS BAY, MI
2012 - PRESENT

Working Part-time to assist programing within Michigan State University's Leelanau County Extension office.

DISTRIBUTION ASSISTANT, M&M RESTAURANT SUPPLY; ST. JOHNS, MI
1995 - 2011

Executive assistant to the Center Manager. Research, budget, and conduct purchasing for special projects. Payroll processing and annual reports. Central Communications Coordinator.

OWNER, YARROW FARM, SELF EMPLOYED; ST. JOHNS, MI
1990 - 1995

Owned and operated a seasonal retail store selling art, antiques, flowers and gifts. Grew flowers for sale.

REAL ESTATE AGENT, CALDWELL BANKER OF ST. JOHNS
1993-1995

Licensed Real Estate Agent

EDUCATION

MICHIGAN STATE UNIVERSITY, E. LANSING, MI - 1985

M.S. Merchandise Management, Minor - Marketing, 1985; Thesis topic: Strategic Planning for Tourist Dependent Retailers.

MICHIGAN STATE UNIVERSITY, E. LANSING, MI - 1979

B.A. Criminal Justice w/ Honors

ACTIVITIES

Co-Chair, Leelanau County Democratic Party ; Secretary, The Shores Homeowners Association ; Alternate, Teamsters Local Union No, 204- State, County, and Municipal Workers.

REFERENCES

Available upon request.
