

**Cleveland Township Planning Commission**

**Cleveland Township Hall, Leelanau County, Michigan**

**Regular Minutes, December 2, 2020**

1. **Call to Order:** Chair Manikas called the regular meeting to order at 7:00 PM  
**Roll Call:** Chair Dean Manikas, Vice Chair Paul Stowe, Board Rep Todd Nowak, Secretary Yarrow Brown, Commissioner Kim Hayes, and Recording Secretary Andi Stevenson.
2. **Consideration of the Agenda:** Accepted as presented.
3. **Public Comment:** None
4. **Pronouncement of any Conflict of Interest:** None declared
5. **Consideration of November 4, 2020 Public Hearing and Regular Planning Commission Minutes:** Members reviewed the minutes and amended to include specific amendment wording and add well after cooking. **MOTION BY HAYES AND SECOND BY STOWE TO ACCEPT THE MINUTES AS AMENDING. Motion passed 5-0.**
6. **Report by Chair:** Chair Manikas was on a call with Zoning Administrator Valentine III about flood plains. There will be no changes because all Cleveland Township Lake Michigan property is National Park. Will continue to monitor and will need to be an ordinance adoption with support from the County. Understood to be a formality to get people insurance.
7. **Reports and Correspondence by Members:** None
8. **Report by Zoning Administrator:**
  - a. Three Land Use Permits issued in November – single family home, storage building, and guest house.
  - b. Estimated value of permitted projects for the reporting period is \$512,000, same time last year was \$400,000.
  - c. Worked with fire department and health department to help the owners of Little Traverse Inn on M-22 on portable dinning building. Gave stamp of approval on project.
  - d. Market 22 had issues with building department on work done. Building department thought they were changing the use on the sale of alcohol. Had to make some phone calls for the issue and it was resolved.

- e. Owner had an empty lot, previous Zoning Administrator had stated was not buildable because it was too small. Went through extensive deed/record searching and found out that it was split before 1973. Gave stamp of approval on the lot.
- f. Two separate parcels at 5650 S Lime Lake Road, owners undertook three building projects without any permits. Setbacks were violated. Has taken a lot of work and there will be more to figure out everything. County building department visited the property. Property owner has mentioned attending meetings to get it sorted out. Ordinance of 25% coverage has been exceeded, current coverage is 36%.

Commissioner Hayes had a question, what happens? Will the owners be asked to remove buildings? How is the issue resolved? The items built without permits were a deck, 60 ft porch, and a garage. All of which could be removed if necessary.

Owner expressed interest in asking for a variance. Garage was issued a permit for a vacant parcel, which should not have been issued; a lean-to was also not issued a permit. Percentage was calculated for each parcel. House is one parcel, additional lot is another. House that was permitted in 2016 is too large, according to county information. Homeowner will need to submit a full survey. Zoning Administrator Valentine III will reach out to Tim Stein about violations.

Commissioner Stowe asked about the percent coverage and which parcel it pertained to. Zoning Administrator Valentine III confirmed that it pertained to the lakefront home parcel. Did not calculate the garage lot, but it is a large lot and is not believed to be over percentage. Chair Manikas confirmed that the garage parcel is residential and you are not to build a garage on a residential parcel without a home. However, a permit was issued so the ongoing issue with the parcel is that the lean-to was built without a permit and the lean-to appears too close to the property line.

Commissioner Hayes inquired about how zoning administration is preformed in regards to when violations can be seen and when they could not. Be thoughtful of how things are administered when there is so much that is not visible and be careful on how to address issues. Chair Manikas confirmed that just because you are not currently enforcing or have not in the past does not mean that you cannot.

- g. Started table summarizing setbacks. Will be a work in progress, is more extensive than originally thought. Will need more input and may not be able to condense. Will be a tool to assist, not an amendment.

## 9. Continuing Business:

- a. Under Section 4.16 Site Plan Review, change the reference Comprehensive Development Plan to Master Plan, this change would just be clarification.

- b. Under (b) Application for Site Plan Review, change reference to (e) to (g).
- c. Under (h) Standards for Granting Site Plan Approval, change section (xiii) to section (m)(i).
- d. From Section 4.06 deals with fire, but clearly states the lot coverage and is on the ZA worksheet for Land Use Permits. Should repeat the coverage statement under 5.09. Would then be in multiple places. Simple added sentence to section 5.09, by taking same language from 4.06. **MOTION BY MANIKAS SECOND BY NOWAK TO ADD “THE YARD AREA FREE OF ALL BUILDINGS AND STRUCTURES SHALL CONSTITUTE AT LEAST SEVENTY-FIVE (75) PER CENT OF THE LOT AREA” TO SECTION 5.09.** Motion passed 5-0.
- e. Chair Manikas noted that the Planning Commission has had public input on at least two occasions by one gentleman and maybe others, that you can only have one accessory building. This might be a garage if the garage was not attached. Would be unable to add a storage building. Consider allowing additional buildings if the coverage restrictions are followed.

Secretary Brown and Commissioner Hayes agree with allowing additional buildings as long as coverage restrictions are followed. Board Representative Nowak did point out that the gentlemen mentioned did have the opportunity to build an attached garage instead and did not. He also made the point that you would need to specify something that did not impede on the neighbors view. Storage for an automobile or a car would be a lot larger than a shed.

Zoning Administrator Valentine III says it sounds like you would be adding another allowable building. The way he has been interpreting the ordinances is that under Section 5.02 you can build a house with or without an attached garage, a guest house with or without an attached garage and a garage. Chair Manikas pointed out the guest house cannot have a garage, but what if they want a storage building. Property owner would be required to stay under the 25% coverage and could potentially have four separate structures on the property, may have been written this way to prevent that. Also could potentially define what the structure use would be for.

Commissioner Hayes felt that the Planning Commission should be careful, based on landowner right, if there is a 75% rule, to not limit it more than necessary. It could be problematic if someone's lot coverage allowed for multiple additional buildings.

Chair Manikas stated there have not been a lot of requests for it. Board Representative Nowak stated there is just the one person asking and not additional property owners on the lake asking for additional buildings. Secretary Brown and Commissioner Stowe both brought up limiting building by size and type.

Commissioner Stowe also brought up the Master Plan and the communities desire to protect scenic views. This could be reviewed through the Master Plan review.

- f. Chair Manikas will put together amendments in order to have a public hearing. There will be discussion on the meeting after the public hearing. The amendments will be passed to County and if approved they will come back to the Planning Commission for final approval. The write-up just has to include that we are doing clean-up on zoning ordinances.

**10. New Business:** Review of Master Plan

- a. Chair Manikas sent questions to the Planning Commission to start with. What did everyone glean and what are current priorities?
- b. Commissioner Hayes was glad to see housing and water protection and human impact management were the top things from appendix A and larger survey. Housing, water protection and agriculture are the most important. How to fund redevelopment of Sugar Loaf could be dove into more, lots of possibilities.
- c. Secretary Brown felt the same about Sugar Loaf and the possibilities. Noticed senior housing was a big priority. Ask some questions about this priority. Loves the fact that she lives in a township that values the scenic value and the water.
- d. Commissioner Stowe felt Sugar Loaf stood out as a perspective area for residential development. Feels like the focus of township should be on Sugar Loaf to tie resident's wishes together as a large development and what it could bring. People also feel there are not enough commercial services.
- e. Commissioner Hayes looked at the senior housing and the age of the residents. The majority of the respondents were 50 or older. Is that representative of the residents of the township and what would be said today?
- f. Board Representative Nowak said when the survey was taken most residents were retirees and the beauty is what the retired here for.
- g. Secretary Brown agrees but how do you get some representation from the work force residents.
- h. 32% return rate on the first survey, very high, but still only 32%.
- i. Broadband is a big issue in parts of the township and goes beyond the township.

- j. 86% of respondents were in favor of eliminating pesticides, and that is also part of the Glen Lake watershed. Need to do green belts around ecologically sensitive features. Hard to legislate how people take care of their lawns. You need to provide education.
- k. Hayes would like to see less pesticide use with organic farming be the norm. Appears to be a topic that is more of a cultural thing that needs acceptance not legislation.

**11. Public Comment:** None

**12. MOTION TO ADJOURN BY NOWAK AND SECOND BY HAYES. Motion passed 5-0.**

**13. Adjournment at 8:10 PM.**