

**CORRECTED**

**GLEN ARBOR TOWNSHIP  
Zoning and Planning Commission  
Glen Arbor, MI 49636**

**November 6, 2001**

**REGULAR MEETING**

The meeting of the Glen Arbor Zoning and Planning Commission was called to order by Vice-Chairman John Pepler in the Glen Arbor Town Hall Meeting Room at 7:30 p.m. Those present were: John Pepler, Kent Kelley, Paul Maurer, Bill MacLachlan, Ted Lowry, Jim Seeburger and Frank Wilcox. Lance Roman was absent.

**November 6, 2001 Z & P Agenda**

It was requested that Section XIII.8 (Site Plan requirements) and 2 standards lists/forms from Bonnie Quick be added under New Business. Jim Seeburger moved to approve the agenda with the following additions/changes and Ted Lowry seconded – All in favor:

1. Bob Sutherland's proposed addition to Cherry Republic under Zoning Administrator's Report
2. Master Plan to read "Information" instead of "Resting"
3. Put "Accessory Buildings" under New Business as well as changing the date of the January 2001 meeting.

**CHANGES OR DELETIONS TO MINUTES:**

**October 2, 2001 Regular Meeting**

Jim Seeburger moved to accept the minutes of the previous meeting as corrected and Frank Wilcox seconded -- All in favor.

**CORRESPONDENCE**

None

**TOWNSHIP BOARD REPORT – Kent Kelly**

Kent noted that the following occurred at the October 23, 2001 Glen Arbor Township Board meeting:

- 1) A Paramedic/Firefighter has been hired for the Glen Arbor Fire Department.
- 2) The Boat Ramp has been taken out for the season and there is a proposal to increase the Ramp Supervisor's wages.
- 3) Contributions for the new Glen Arbor Fire hall have reached over \$70,000 so far.
- 4) The Board has approved the purchase of 2 Suburbans for the Fire Department.
- 5) Street Scape has still not been approved by M-DOT.
- 6) The Glen Arbor Township Newsletter will be on the Internet.
- 7) A Glen Arbor Township wage and salary committee has been appointed.
- 8) Lake Street signs reading "Watch for Pedestrians" will be posted.
- 9) A new "Welcome to Glen Arbor" sign is in the works.

**ZONING ADMINISTRATOR'S REPORT – Bob Hawley**

- 1) Bob noted that he issued 8 land use permits since the last Z & P meeting (see attached).
- 2) Bob introduced Robin Johnson for Cherry Republic, which is proposing the removal and rebuilding of the back portion of the North Building of their Glen Arbor Retail location on Lake Street. See Plans on File. Review and discussion ensued with the primary concerns being parking issues. It was noted that 2 parking spaces would need to be added. Bill MacLachlan motioned that Z & P require a legally binding letter from Cherry Republic, as a condition for the issuance of the land use permit, that they will require all their vendors and their personnel to use their access road (off of State Street) for loading and unloading purposes. Ted Lowry seconded – all in favor.

**November 6, 2001**

**ZONING BOARD OF APPEALS REPORT – John Peppler**

John noted that no hearing was scheduled last month.

**OLD BUSINESS**

**Zoning Map Review – Frank Wilcox**

Zoe Smith provided Frank Wilcox with a copy of the updated list of parcels that have proposed zoning changes. Frank noted that he will meet with Bob Price to review the list.

**Big Foot – Kent Kelly**

Kent noted that he had talked to the MTA attorney and Leslie Sickterman of Gourdie-Fraser regarding both Big Foot proposals. No one consulted saw a potential problem with proposed Section V.3 – 30% maximum building(s) footprint per lot; however, Leslie noted a number of ambiguities with the proposed changes to Section IV.16 – building height restrictions—that would need to be addressed. Discussion ensued and Kent Kelly motioned to approve the addition of the Big Foot amendment (30% lot usage) to Section V.3 as presented, Ted Lowry seconded and the roll call vote was:

**FOR: Jim Seeburger, Ted Lowry, Paul Maurer, Frank Wilcox, and John Peppler**

**AGAINST: Bill MacLachlan**

**ABSENT: Lance Roman**

Kent handed out “New Proposal C” (see attached) and noted that he would like to receive suggestions before the next meeting.

**NEW BUSINESS**

**Scheduling – John Peppler for Lance Roman**

John Peppler noted that the regularly scheduled Z & P meeting would fall on New Year’s Day and suggested that it be rescheduled for the 2<sup>nd</sup> Tuesday in January – January 8<sup>th</sup> and that a Public Hearing also be scheduled for the same day at 7:00 p.m. to present:

- A. Off Site Signs
- B. Bigfoot V.3 – 30% max lot usage
- C. Site Plan Review for Site Condos

The recording secretary was instructed to send the above information to Lance Roman and make arrangements for the Public Notices to appear in the Leelanau Enterprise at the appropriate times.

**Site Plan Condo Review – John Peppler for Lance Roman**

The Site Plan Review for Site Condo Proposal was reviewed and amended. Jim Seeburger motioned to approve the amended version and Kent Kelly seconded – All in favor. It will now read:

**SECTION IV.12.8 Site Condominium Site Plan Review**

All land division utilizing the Site Condominium legal instrument requires site plan review by the Glen Arbor Zoning and Planning Commission.

**Accessory Buildings**

Kent Kelly noted no definition of accessory building in the Ordinance and Bob Hawley noted that numerous ambiguities occur in the Zoning ordinance. Kent requested that Bob make a list of the definitional deficiencies he had encountered so that they may be addressed at the next meeting.

**GLEN ARBOR TOWNSHIP  
Zoning and Planning Commission  
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**Page 3**

**November 6, 2001**

**NEW BUSINESS CONT.**

**Commission Protocol**

Kent Kelly obtained a legal opinion on the legality of having 8 instead of 9 members on the Z & P Commission and was informed that "yes, it is perfectly legal". He also, questioned whether or not a member may abstain from voting without a conflict of interest being involved and was told that "No, a member may NOT abstain from voting without a conflict of interest being involved". A 4 to 4 vote creates a "hung issue" which stays on the table. Kent Kelly motioned that a tie vote would defeat an issue and Frank Wilcox seconded – All in favor.

**SUB-COMMITTEE REPORTS**

**Zoning**

Bob Hawley agreed to bring a list of the words in the Zoning Ordinance that needs clearer definitions.

**Transportation**

The Safety/usability of the boat launch sites on the Crystal River was discussed.

**Master Plan – Ted Lowry**

Ted noted that they have been reviewing the Master Plan and have discussed it with the Glen Arbor Township Supervisor. It appears to require extensive re-working.

**Capital Improvements**

Have not met.

**PUBLIC COMMENT**

Jeanine Dean wanted to know why we are letting people come in under the grandfather clause – which was intended to allow a legal non-conforming structure to be rebuilt after being damaged/destroyed by fire or natural disaster – to raze and remove a non-conforming structure only to rebuild a much larger structure in the same non-conforming location. This typically results in a serious obstruction of the views of the neighbors. Bob Hawley noted that he would put it on his checklist to review the wording in the Ordinance.

**COMMISSION COMMENTS**

Bill MacLachlan suggested that Article V.3.F be looked at when reviewing/clarifying a number of points in the Zoning Ordinance.

**Frank Wilcox motioned to adjourn at 9:21 p.m. and Jim Seeburger seconded -- All in favor.**

**Glen Arbor Township Zoning and Planning Commission  
E-Mail Address  
November 7, 2001**

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