

**Cleveland Township Planning Commission**  
**Cleveland Township Hall, Leelanau County MI**  
**REGULAR MEETING**  
September 5, 2007

The meeting was called to order at 7:30 pm. by Chairman Ewing. On a roll call Bill Olsen, Brian Price, Cindy Shimek, and Tim Ewing were present.. Zoe Smith was unable to attend and had been excused. The audience included 5 members of the public. There were no changes to the Agenda.

The minutes of the August 1, 2007 Meeting minutes were approved with a minor amendment suggested by the Chairman.

It was agreed that relative to the topics likely to be addressed at the meeting, that no commissioner had a conflict of interest.

The Chairman reported that he had attended a Leelanau County EDC meeting in August. He had asked if they had any involvement with Sugar Loaf, and received a reply that Sugar Loaf was high on the list of goals for the EDC but that they had not had any contact from the owners in many months. As a related topic, Ewing mentioned that he had been given a contact at the Michigan Association of Counties who could speak about Brownfield Redevelopment as a possible tool for use at Sugar Loaf.

Under Report by Members Cindy Shimek mentioned that a new Trailways Master Plan is available on the website of the M-22 Heritage Route..

Under Old Business, the Chairman welcomed consultant Leslie Sickterman to the meeting, and asked members how they wanted to approach consideration of the Residential District rezoning. He walked the Planning Commission through changes that had been made to the most recent draft of the Residential Districts and highlighted in yellow. He then asked for comments or questions on the larger issues still up for discussion.

Price questioned whether the word “frontage” should be included in Section 5.4 C a. when road frontage does not appear elsewhere in the ordinance as a requirement anyway. From the audience Ruth Shaffron commented that road frontage is considered as a requirement in the creation of new lots, while others noted that the ordinance requires “average width throughout its length” as the standard for lot width, not road frontage. The issue was not immediately resolved.

Under Guest Houses Price volunteered that he had come around to thinking that guest houses should no longer be allowed in any residential district. He noted that as the practice of renting out cottages on the lakes continues to grow the inclusion of guest houses in this district will only create a more difficult situation, as prohibitions against renting guesthouses will be virtually unenforceable. For extra living quarters, a ready solution is simply to add on to the main house. Shimek added that in an environmentally sensitive area, allowing guest houses only increases density in an already dense district. Questions were asked about how many existing guest houses there are, and if there seems to be any demand for this right to continue. From the audience Ruth Shaffron offered that she sees nothing wrong with it provided that a lot has sufficient size. Leslie Sickterman was asked to comment on the issue. She said that Green Lake Township allows guesthouses everywhere except the lakefront district. Guesthouses are considered more likely to be rented out. They are very hard to regulate. She suggested that we

look up ordinances that allow “accessory dwellings.” Bill Olsen asked if migrant quarters could be considered guesthouses, and received a tentative answer that such buildings are allowed by state law. Shimek offered to research accessory dwellings and how migrant quarters are handled.

The Chairman brought up several issues that had been previously raised:

Split Zoning – member Zoe Smith had provided a map showing several large lots that would have split zoning if the new low density district is established. A map was passed around. Price offered that lots with split zoning are not uncommon, and that provided they are large enough lots he is not particularly troubled by the creation of split-zoned lots. Sickterman offered that most ordinances address how split zoned lots would be handled, and mentioned that there could be a provision in the ordinance dealing specifically with this issue and how density is calculated and how clustering might occur on split zoned lots. She noted that it may not be a problem in this case, as usually it becomes a problem when uses are different on the same lot, such as a lot split between commercial in one part and residential in another. A tentative decision was made to keep the language as it is.

Creation of New Nonconforming Lots – Price mentioned that by the build-out analysis provided, only 7 new non-conforming lots would be created. Others in the audience noted that a great many of the lakefront lots now existing are non-conforming, and that this has not created huge problems. Ruth Shaffron noted that the real problem is the creation of non-conforming lots that are unbuildable under the then-current zoning.

Nonconforming Lots of Record that may be under the same ownership – Price suggested striking 4. E. on Page 7, as it would not be the Planning Commission’s intent to make an owner consolidate contiguous lots of record that may be non-conforming. Others concurred.

Cluster Development less than 20 acres - the Chair brought this up and asked Ruth Shaffron how this has been handled in the past. It was decided that this provision would not be a problem in the ordinance. However, under the current round of ordinance clarifications a revised and shortened list of submittal requirements under minor site plan should be considered.

High Density District vs reality of lot sizes currently – after discussion no change was contemplated as this district may be expanded in the future, and the density calculations apply to the Recreational District as well as to the a very small High Density Res district.

Official Zoning Map – all members agreed that we should move to create, have signed by the Clerk and Supervisor, and hang on the wall an official zoning map for the Township.

There was discussion about providing reference materials and findings of fact to support the proposed changes to the Residential Districts. Sickterman was asked to comment. She noted that “Findings of Fact” should include greater conformance with the existing Master Plan, the Build-out Analysis, and information on sensitive environmental features. Price offered to work on this, in consultation with the chairman and with the consultant. Sickterman also commented that she would like us to review the build-out analysis and that after that she hoped to take the label “draft” off the document and finalize it. Price and Ewing will work on this as well.

Due to the late hour both consideration of Kronk’s comments on wind systems and the Master Plan Review were tabled without objection.

Under Open Forum Conrad Mason commented on the 16 foot allowable width of decks within the 75 foot setback. He noted that 12' should be adequate, that lumber routinely comes in 12' sizes as well as 8' and 16'. He is concerned with aesthetics, and with the fact that in many instances the requirement that a deck cannot be more than 2 feet off the ground cannot be met.

There being no further business the meeting was adjourned at 9:25pm.

Submitted:

Brian Price  
Planning Commission Secretary