

## NOTICE OF REGULAR MEETING:

The Suttons Bay Township Board is hereby called for 6:00PM, Wednesday, October 9, 2024.

### Agenda

#### **CALL TO ORDER**

#### **PLEDGE OF ALLEGIANCE**

#### *APPROVAL OF THE AGENDA*

**PUBLIC COMMENT:** and communications about items not on the agenda. Please limit comments to three (3) minutes unless the Chair grants otherwise. Questions will not be answered but citizens may call the Township office at 231.271.2722 to have their questions discussed.

#### **CONFLICT OF INTEREST**

#### **REPORTS:**

**PLANNING & ZONING REPORT  
PARKS & RECREATION REPORT  
FIRE AUTHORITY**

#### **OLD BUSINESS:**

1. Approval of meeting minutes from September 11, 2024
2. Payment of bills

#### **NEW BUSINESS:**

1. Consider adoption of an Ordinance to Approve a Text Amendment of the Zoning Ordinance pertaining to the Waste manage Zoning District

#### **PUBLIC COMMENT**

#### **BOARD MEMBER COMMENTS**

#### **ADJOURN**

**This meeting is a session of the Suttons Bay Township Board held in public for the purpose of conducting the Board's business and is not to considered a public discussion .**

# ZONING ADMINISTRATOR'S REPORT

## SUTTONS BAY TOWNSHIP

SEPTEMBER 2024

For October PC and Board Meetings

Prepared by Steve Patmore  
October 1, 2024

### LAND USE PERMITS ISSUED

DATE	TOTAL	NEW HOMES	ADDITIONS	ACCESSORY STRUCTURES	OTHER
September 2024	6	1	1	4	0
Year To Date	32	11	9	11	1
Year to date 2023	27	9	7	10	1
Year to date 2022	44	21	11	12	0
Year to date 2021	36	14	8	13	1
Year to date 2020	32	9	5	17	1
Year to date 2019	26	14	7	5	0
Year to date 2018	33	17	6	10	0
Year to date 2017	29	8	4	14	3
Year to date 2016	24	6	8	8	2

LUP 24-027	1011 S. Nanagosa	Shed
LUP 24-028	679 S. Lake Leelanau Dr.	Shed
LUP 24-029	John Michael Dr.	New single-family dwelling
LUP 24-030	790 S. Herman Rd.	Accessory Building
LUP 24-031	1761 S. Knorr Dr.	Screen Porch Addition
LUP 24-032	Pineview Rd.	Accessory Building

Revisions to existing permits  
Several permits in progress

#### Land Divisions:

- One application received – under review.
- Several inquiries.

#### Zoning Board of Appeals:

- No Activity

#### Short Term Rentals:

- 60 short term rental permits issued so far for 2024
- Renewal process for 2025 starts on October 1<sup>st</sup>.

#### Other:

- Inquiries and meetings with property owners on potential land uses.
- Zoning Ordinance Overhaul Review
- Waste Management District – County Planning Commission
- Special Land Use Permit for Communications Tower.

Suttons Bay Township Zoning Text Amendment  
to allow clustered condominium units/smaller lots  
in the Waste Management Zoning District

September 3, 2023  
For PC Public Hearing

Issue to be resolved by this text amendment:

The current Suttons Bay Township Zoning Ordinance (SBTZO) has a one (1) acre minimum lot size in the Waste Management Zoning District.

The current property owner wants to develop the parcel as smaller individual condominium units, similar to what's happening throughout the region.

These units could then be sold to individuals for storage, warehousing, contracting businesses, service businesses, or other Industrial type uses. The township has a need for such units.

While the owner today could build individual units as rentals on a single parcel (with Site Plan Review), they could not sell the units under the current ordinance unless the units were on a one acre lot or parcel.

Background:

The area currently zoned Waste Management currently has one building and is being used as a contracting business.

The building was formerly a waste transfer station, hence the Waste Management designation.

The current owner added outdoor storage in the form of storage containers, which was done contrary to the SBTZO, which requires Site Plan Review for outdoor storage.

The current owner has verbally agreed to correct this zoning violation in the re-development of this property.

The Condominium Storage/Business units would require Site Plan Review and issuance of a Special Land Use Permit in order to be developed.

In the future, the area is slated for C-2 Commercial, which would also allow these types of units, and would have similar language allowing condominium units.

**Suttons Bay Township Zoning Ordinance**  
**Text Amendment to allow for individual condominium storage/business units**  
**in the Waste Management Zoning District.**

**AMEND SECTION 11.2.D Add Personal Storage and Commercial Storage as Special Uses in the Waste Management Zoning District.**

**NEW SECTION**

**Section 11.4 CLUSTERED INDUSTRIAL/STORAGE CONDOMINIUMS**

The Planning Commission may approve a Site Plan within a Master Parcel that consists of a cluster of lots and/or units that vary from the regulations and standards listed in Section 11.3 as a Special Land Use, subject to the following provisions:

- A. A Special Land Use Permit is required for the overall Site Plan and Condominium. A separate Land Use Permit shall be required for each individual building.
- B. Proposed Uses shall conform to Section 11.2, and shall be part of the Special Land Use Permit. Future Change of Use of individual lots may require Administrative or Planning Commission approval.
- C. There are no minimum Lot Size, Width, Frontage, or Interior Setback requirements, including zero lot line buildings, subject to Site Plan and Special Use Permit approval by the Planning Commission.
- D. Setbacks from the boundaries of the Master Parcel shall conform with the Buffering standards in Article 3 of the zoning ordinance.
- E. Screening, Buffering, Landscaping, and Greenbelts shall comply with Article 3.
- F. All outdoor storage, parking, loading areas, and mechanical equipment shall be screened and buffered in accordance with the zoning ordinance and reviewed by the Planning Commission.
- G. Adequate parking and loading shall be provided for each Use and shall be shown on the Site Plan.
- H. In accordance with this Zoning Ordinance, each individual lot or unit shall be accessed by an approved public or private road. The road may be designed and built to County Road Standards or Township Private Road Standards, at the option of the developer, and must be approved by the respective agency.
- I. Water Supply and Wastewater Disposal shall meet all applicable Health Department and Building Code Requirements.
- J. Stormwater run-off shall meet the Leelanau County Drain Commissioner Standards.
- J. The maximum lot coverage of the Master Parcel shall not exceed 40%.
- K. The maximum impervious surface coverage on the Master Parcel shall not exceed 50% of the net acreage.
- L. The maximum allowable Building Height shall be 35 feet.
- M. The Condominium approval process shall follow Article 17, Condominium Subdivisions.
- N. Additional Site Plan Submittal Requirements:
  1. A list of proposed allowable uses of the clustered units.
  2. Proposed water and wastewater - preliminary approval
  3. Parking calculations based upon proposed use.
  4. Lot coverage and Impervious Surface coverage calculations.
  5. Private Road Plans and Maintenance Agreement.
  6. Condominium Documents and By-Laws.

**AMEND SECTION 17.1** to add "industrial" to the intent of the Condominium Section.

**NEW DEFINITIONS** (Article 2):

**Impervious Surface:** (from the definition used in the Zoning ordinance Overhaul)

For purposes of this Ordinance this definition includes surfaces which prevent or impede normal water infiltration and/or cause runoff to other areas but is not limited to: (1) all buildings, and structures (area measured at roof gable end and eave lines), (2) stairs, walkways, driveways and parking or other areas comprised of cementitious substances, or any bituminous substance, including asphalt, and (3) any subbase of plastic or any shield which prevents or impedes water penetration. Not considered an impervious surface are brick pavers, paver stone, graveled surfaces, decks, stairways and walkways with gaps in their surface structure (e.g., wooden decks with open cracks between the deck boards) that allow water to readily pass through the structure.

**STORAGE, PERSONAL:** A space or place for the safekeeping of personal property.

**MASTER PARCEL:** The existing overall parcel(s) or lot(s) that are proposed to be developed and/or divided into individual units.

**TEXT AMENDMENT REVIEW**  
**PC14-2024-11 Suttons Bay Township**  
**Text Amendment – Article 11, Waste Management District**  
**Personal & Commercial Storage**

**Reviewing Entity:** Leelanau County Planning Commission  
**Date of Review:** September 24, 2024

**General Information**

**Date Request Received:** September 18, 2024

**Last Day of Review Period:** October 18, 2024 (30-day review period under the Michigan Zoning Enabling Act)

**Requested Action:** Review and comment on proposed amendments to the Suttons Bay Township Zoning Ordinance, Article 11, Waste Management District.

**Applicant:** Suttons Bay Township Planning Commission  
Tom Koernke, Chairman

**Section 2: Proposal**

See Appendix for a copy of the proposed text amendments.

**Section 3: Other Planning Input**

**Township Plan:** The Suttons Bay Community Joint Master Plan (2011) does not specifically address this amendment.

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

**Township Planning Commission:**

The Suttons Bay Township Planning Commission held a Public Hearing on September 3, 2024 and after the Public Hearing was closed, the following motion was passed:

*A vote was taken based on the ZO Amendment wording as presented by ZA Patmore: To Allow Clustered Condominium Units/Smaller Lots in the Waste Management Zoning District. Motion was made by Carlon to accept the proposed Amendment, 2<sup>nd</sup> by Clark, all Ayes, motion passed.*

**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.)?**

No.

**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? No.**

Current Zoning District:

The township zoning ordinance can be found at this link:  
[https://www.leelanau.gov/downloads/20171027\\_pdf\\_version.pdf](https://www.leelanau.gov/downloads/20171027_pdf_version.pdf)

**Section 5: History**

See Appendix for information from the township for the reasons for this amendment.

**Section 6: Staff Comments**

The proposed amendment will amend Article 11 Waste Management District, Section 11.2 Special Uses to add the following:

D. Personal Storage and Commercial Storage

The proposed amendment will also add the following new section to Article 11 Waste Management District:

**Section 11.4 CLUSTERED INDUSTRIAL/STORAGE CONDOMINIUMS**

The Planning Commission may approve a Site Plan within a Master Parcel that consists of a cluster of lots and/or units that vary from the regulations and standards listed in Section 11.3 as a Special Land Use, subject to the following provisions:

- A. A Special Land Use Permit is required for the overall Site Plan and Condominium. A separate Land Use Permit shall be required for each individual building.
- B. Proposed Uses shall conform to Section 11.2, and shall be part of the Special Land Use Permit. Future Change of Use of individual lots may require Administrative or Planning Commission approval.
- C. There are no minimum Lot Size, Width, Frontage, or Interior Setback requirements, including zero lot line buildings, subject to Site Plan and Special Use Permit approval by the Planning Commission.
- D. Setbacks from the boundaries of the Master Parcel shall conform with the Buffering standards in Article 3 of the zoning ordinance.
- E. Screening, Buffering, Landscaping, and Greenbelts shall comply with Article 3.
- F. All outdoor storage, parking, loading areas, and mechanical equipment shall be screened and buffered in accordance with the zoning ordinance and reviewed by the Planning Commission.
- G. Adequate parking and loading shall be provided for each Use and shall be shown on the Site Plan.
- H. In accordance with this Zoning Ordinance, each individual lot or unit shall be accessed by

an approved public or private road. The road may be designed and built to County Road Standards or Township Private Road Standards, at the option of the developer, and must be approved by the respective agency.

- I. Water Supply and Wastewater Disposal shall meet all applicable Health Department and Building Code Requirements.
- J. Stormwater run-off shall meet the Leelanau County Drain Commissioner Standards.
- J. The maximum lot coverage of the Master Parcel shall not exceed 40%.
- K. The maximum impervious surface coverage on the Master Parcel shall not exceed 50% of the net acreage.
- L. The maximum allowable Building Height shall be 35 feet.
- M. The Condominium approval process shall follow Article 17, Condominium Subdivisions.
- N. Additional Site Plan Submittal Requirements:
  - 1. A list of proposed allowable uses of the clustered units.
  - 2. Proposed water and wastewater - preliminary approval
  - 3. Parking calculations based upon proposed use.
  - 4. Lot coverage and Impervious Surface coverage calculations.
  - 5. Private Road Plans and Maintenance Agreement.
  - 6. Condominium Documents and By-Laws.

The proposed amendment will **amend** Article 17, Condominium Subdivisions, Section 17.1 to **add "industrial"** to the intent of the Condominium Section.

The **current** definition in Article 2 for Impervious Surface is as follows:

**Impervious Surface:** For purposes of this Ordinance this definition includes surfaces which prevent or impede normal water infiltration and/or cause runoff to other areas but is not limited to: (1) all buildings, and structures, (area measured at roof gable end and eave lines), (2) stairs, walkways, driveways and parking or other areas comprised of cementitious substances, or any bituminous substance, including asphalt, and (3) any subbase of plastic or any shield which prevents or impedes water penetration.

Not considered an impervious surface are brick pavers, paver stone, graveled surfaces, decks, stairways and walkways with gaps in their surface structure (e.g., wooden decks with open cracks between the deck boards) that allow water to readily pass through the structure.

The proposed amendment will **amend** this to read as follows:

**Impervious Surface:** (from the definition used in the Zoning ordinance Overhaul) For purposes of this Ordinance this definition includes surfaces which prevent or impede normal water infiltration and/or cause runoff to other areas but is not limited to: (1) all buildings, and structures (area measured at roof gable end and eave lines), (2) stairs, walkways, driveways and parking or other areas comprised of cementitious substances, or any bituminous substance, including asphalt, and (3) any subbase of plastic or any shield which prevents or impedes water penetration. Not considered an impervious surface are brick pavers, paver stone, graveled surfaces, decks, stairways and walkways with gaps in their surface structure (e.g., wooden decks with open cracks between the deck boards) that allow water to readily pass through the structure.



The **current** definition in Article 2 for Storage is as follows:

**Storage:** See Commercial Storage.

**Commercial Storage:** A space, or a place, for the safekeeping of personal property for profit.

The proposed amendment will **amend** this to read as follows:

**STORAGE, PERSONAL:** A space or place for the safekeeping of personal property.

The proposed amendment will **add** the following definition to Article 2:

**MASTER PARCEL:** The existing overall parcel(s) or lot(s) that are proposed to be developed and/or divided into individual units.

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# Suttons Bay Township

## Park Manager/Assistant Report SBTPR10-24

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Date: 10/2/2024

### Herman Park

- Dog Park
  - Able to obtain warranty replacement for large dog park water station button assembly. Will replace and test before water is shut off.
  - Pond stone still preventing digging. May consider doing small dog park bench.
  - Receptacles regularly replaced.
- Pickleball/Tennis Courts
  - Regular use. Trash receptacle between pickleball courts would be recommended.
- Disc Golf
  -
- Fishing Pond
  - Checked dock/life raft boxes (sprayed for wasps)
- Soccer Fields
  - Schedule for October received. 10/5 needs overflow parking.
  - Invited LSC to Parks and Rec Committee meeting.
- Pump Track
  -
- Pavilion/Mini-pavilion
  - Three events held, one being cycling event.
- Port O Jons
  - Regularly checked.
- GFL
  - Regular pickups
- Turf/Landscaping
  - Weedman sprayed 10/1. Last spray. Checked regularly, seems to be working well at mitigating poison ivy/some invasives.
  - Checked in with garden club and memorial garden. All seems well.
  - Water sample taken and tested. No bacteria present.
- Parking Lot/Walking Path
  - Waste bins and waste bag stations emptied and refilled regularly
- Miscellaneous

- Cycling event successfully held 21<sup>st</sup>. Overflow lots opened. 2 extra trash receptacles were dropped and picked up before and after. Billing to cycling club. Luxury sanitary trailer, handwashing station, and ice cream truck all came and left. Cleaned up.

## Vic Steimel Park

- Port O Jons
  - Checked
- Dog Waste Station
  - Checked
- GFL
  - Regular pickups
- Landscaping
  - Weedman sprayed 10/1. Last spray of year. Checked regularly, seems to be working well at mitigating poison ivy/some invasives.
- Miscellaneous

## Ice Rink Park

- KAL started and completed grading/seeding job. (9/16 & 17).



- Was able to get snowbrush started and working fully. I was also able to get the snow thrower started, but the auger won't work. Could be a belt, pin, etc. issue. Repair would be recommended.

## Graham Greene Park

- Port O Jons
  - Checked.
- Dog Waste Station
  - Checked
- Landscaping
- Miscellaneous
  - Spare stake upon entry. Could maybe be used for sign labeling "Graham Greene park ↗ "

## 45<sup>th</sup> Parallel Park

- Landscaping
- Miscellaneous
  - Tried to obtain free dock sections for walking path. Unsuccessful. May want to consider placing ad looking for free dock sections and/or wood chips.

### **BENCH/TABLE INVENTORY:**

Graham Greene – 3 wooden picnic tables

Vic Steimel – 6 coated metal picnic tables (1 ADA), 4 benches

Ice Rink Park – 3 wooden/metal benches, 2 wooden picnic tables

Herman Park – 10 hex recycled plastic picnic tables (brown/black) (2 ADA) in pavilion. 3 aluminum benches (red), 1 coated metal picnic table (green), and 3 miscellaneous benches between tennis courts. 1 aluminum bench (red) and 1 coated metal picnic table (green) between pickleball courts. 4 coated metal benches (green, 2 small 2 long) in soccer field/pickleball. 1 coated metal picnic table (green) under small pavilion. 1 wooden bench by pump track and 3 mounted recycled plastic benches in dog park.

**DRAFT MEETING MINUTES**  
Meeting of the Suttons Bay Township Board  
Wednesday, September 11, 2024 @ 6:00 PM  
Sutton Bay Township offices  
95 W Fourth Street, Suttons Bay

**CALL TO ORDER**

Supervisor Doug Periard called the meeting to order at 6:00pm.  
Roll Call Attendance: SB Twp Supervisor Doug Periard, Trustee Eric Carlson, Twp Clerk Jean Moe,  
Twp Treasurer Dorothy Petroskey, Trustee Debbie Slocombe  
Staff: ZA Steve Patmore and Recording Secretary Mary Kuznicki

**APPROVAL OF THE AGENDA**

Motion to approve the agenda as presented by Petroskey, 2<sup>nd</sup> by Carlson, motion carried.

**CONFLICT OF INTEREST**

None

**PUBLIC COMMENT**

None

**REPORTS**

1. Planning & Zoning by ZA Patmore - August was not a busy month, however the year for Land Use Permits has been good. The SB Twp Planning Commission recommended approval of an amendment to the waste management district. The amendment has been forwarded to County Planning for review. The Kick-Off meeting for the Zoning Ordinance Overhaul and the 5-year Master Plan will be on Sept 24 at 6:00pm. Giffels Webster will have two representatives attend via zoom.
2. Parks & Recreation by Jared Pontius – Goose hunting on soccer fields is permitted to help remove the flock, 45<sup>th</sup> parallel park needs TLC, poison ivy is prevalent, Jared will call Weed Man to get a quote. Pete Ostrowski gave a summary from the Park and Recreation Draft minutes of the August 28 meeting including the Eagle Scout project, playground at Herman Park, AEG installation and consideration of Larry Mawby’s water wells at Herman Park for the affordable housing project.
3. Fire Authority by Petroskey - At the 9.10.24 meeting, monthly bills were paid. The plans for the remodel should be completed to share with the Fire Board board next month.

**OLD BUSINESS**

1. Approval of the Minutes  
Motion by Petroskey to accept the Meeting Minutes dated August 14, 2024, as presented, 2<sup>nd</sup> by Moe, motion carried.
2. Payment of the Bills

Motion by Trustee Slocombe to pay bills for the month of August 2024 in the amount of \$66,765.46, 2<sup>nd</sup> by Petroskey. All Ayes, motion passed.

### **NEW BUSINESS**

1. Disc Golf

Disk Golf Signs - Slocombe offered to donate the sign for the Eagle Scout project. Slocombe recommended that the Disc Golf Sign be replaced as well as the Pickle Ball Signage. The freight cost does not change if two or three signs are purchased, as long as they are ordered at the same time, the freight charges will remain the same. Debbie will make her donation through the Herman Park Foundation. The Foundation will then reimburse the Township. The three signs are designated to be placed at Herman Park for the Disc Golf Course, The Pickle Ball Courts, and The Invasive Species sign at the pond.

Slocombe made a motion to purchase three signs not to exceed \$3000 which includes freight of \$585 and a donation by Slocombe of \$1,300 with a transfer of funds from the Friends of Herman Park to the SB Twp. 2<sup>nd</sup> made by Petroskey, vote on the motion was taken, all ayes, Motion passed.

2. Pilot Update

The Pilot update is on hold until a later date per Larry Mawby

3. Road Commission Update

Periard & Petroskey met with Brendan Mullane of the Road Commission to discuss road funding options for road repairs. Mullane stated that the road commission only does maintenance. If a resident wants a road repaired, they have the following options.

1.-Regrind the existing road down to gravel. The road commission will maintain the road only by oiling the road and plowing as needed.

2.- A Special Assessment District.

3.- Ask for a milage in SB Twp to maintain and repairs our own roads within the township. It was noted that Cleveland Township sought a road millage.

### **PUBLIC COMMENT**

No public comment.

### **BOARD MEMBER COMMENTS**

Trustee Petroskey

Trustee Slocombe

Trustee Carlson

Clerk Moe offered Snow Plowing update. The quote is \$45 per plow, the same as last winter.

Pete Ostrowski- Herman Park was rented by Business After Hours. Pete said it went well.

Painting company did a nice job at Pavilion. Also, there is less bird nesting due to spikes being placed.

**ADJOURNMENT**

The next SB Township Board Meeting will be on Wednesday, October 9, 2024, at **6:00pm**.  
The meeting adjourned at 6:52pm by Supervisor Periard.

Submitted by Recording Secretary Mary Kuznicki  
Township Clerk, Jean Moe