

# NOTICE OF MEETING

A Regular Meeting of the Leelanau County Planning Commission (LCPC) will be held at **5:30 pm Tuesday, MARCH 28, 2023** in the Leelanau County Government Center – 1<sup>st</sup> floor.

*(Please silence any unnecessary cellular/electronic devices)*

## **AMENDED 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**

**STAFF COMMENTS**

**CONSIDERATION OF FEBRUARY 28, 2023 MEETING MINUTES** *pgs. 2-6*

**NEW BUSINESS**

1. PC04-2023-10 Solon Twp. – Future Land Use Maps *pgs. 7-33*
2. PC05-2023-11 Suttons Bay Twp. – Rezoning Ag. to Residential *pgs. 34-74*
3. PC06-2023- Glen Arbor Twp. – Text Amend. Ag. District *pgs. 75-80*
4. PC07-2023 -Lake Township Master Plan Review *pgs. 81-85*
5. Membership - Transportation Category
6. Topic for annual planning session

**REPORTS**

1. Housing Action Committee
2. Parks & Recreation Committee
3. Report from LCPC members of attendance at township/village meetings, or Other Meetings/Trainings

**COMMUNICATIONS**

**PUBLIC COMMENTS**

**STAFF COMMENTS**

**COMMISSIONER & CHAIRPERSON COMMENTS**

**ADJOURN**

### **LCPC Members**

Steve Yoder  
Casey Noonan  
Melvin Black  
Melinda Lautner  
Tom MacDonald  
Robert Miller  
Tom Nixon  
Amy Trumbull  
Rodney Brush  
Brian Fenlon  
1 Open Positions

**A REGULAR MEETING OF THE LEELANAU COUNTY PLANNING COMMISSION WAS HELD ON TUESDAY, FEBRUARY 28, 2023, 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.

**CALL TO ORDER** Meeting was called to order at 5:30 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.

Yoder welcomed new member Brian Fenlon.

**ROLL CALL**

**Members Present:** S. Yoder, R. Miller, T. Nixon, A. Trumbull, T. MacDonald, B. Fenlon

**Members Absent:** C. Noonan, R. Brush, M. Black, M. Lautner  
*(prior notice)*

**Staff Present:** G. Myer, Senior Planner

**Public Present:** J. Damm

**CONSIDERATION OF AGENDA**

Yoder stated he would like to add “change the date” to Item No. 3 under “New Business.”

*Motion by Miller, seconded Trumbull, to accept the agenda as amended. Motion carried 6-0.*

**CONFLICT OF INTEREST** – None.

**PUBLIC COMMENT** – None.

**STAFF COMMENTS**

Myer said staff is currently working on the Annual Report and will have it ready for the next meeting.

**CONSIDERATION OF JANUARY 23, 2023 MEETING MINUTES**

*Motion by Nixon, seconded by MacDonald, to accept the minutes as presented. Motion carried 6-0.*

**NEW BUSINESS**

PC02-2023-03 Cleveland Twp. – Text Amend

Myer reviewed the staff report, saying this request was received on February 3 and the last day of review under the Michigan Zoning Enabling Act 30-day review period in March 5. The Cleveland Township Master Plan does not specifically address this amendment, and neither does the Leelanau General Plan. Myer moved on to Section 5: Staff Comments and said the proposed amendment will

replace the current Section 5.08 Setback Restrictions with the following language:

No building or structure shall be built closer than forty feet to the nearest right-of-way line of any public street or thoroughfare, no closer than ten feet for side yards, no closer than ten feet for rear yards, and no closer than seventy-five feet to the water's edge. Where compliance with either of these restrictions creates a practical difficulty, application for possible relief may be made to the Zoning Board of Appeals.

Myer continued, saying the current Section 5.02 Residential I-Use Permitted: (b) language will be replaced with the following:

One guest house located on the same building lot area as the main house, and not attached to same, nor occupied for periods of less than thirty consecutive days at a time as a rental in any calendar year.

The proposed amendment will also amend Section 9.11 Agricultural Tourism to read as follows:

vi: Maximum of four camp sites or rooms. Maximum occupancy of two adults per room or site, excluding dependent children.

Myer continued, saying the proposed amendment will add the following to Section 9.11, 3:

b) xiii : In collaboration with the township affiliated fire department, a site appropriate fire suppression system (plan) is developed and implemented.

And amend the definition of "Dwelling" to read as follows:

Any building or part thereof, occupied as the home, residence, or sleeping place of one or more persons either permanently or transiently, except automobile trailers or mobile homes.

In conclusion, Myer said staff commends the township for allowing use of a 2<sup>nd</sup> housing unit on a property for at least 30 days at a time. This would be consistent with an 'accessory dwelling unit' which is something the Housing Action Committee and Housing North have been promoting, as a means to provide additional housing units.

Yoder informed members they will now be recommending approval or denial in their motions, which is something that was included in the past, but had they had gotten away from.

Miller questioned the proposed amendment to Section 5.08 Setback Restrictions and said if you have a development with gridded streets, are you saying 40 feet to both the front and side street? Or would it be considered the side lot because it's not clear? Miller commented on changing the wording to "practical difficulty" and said that must be something new. Also, with regard to the proposed amendment to Section 5.02 Residential I, Use Permitted, what if it was rented out to someone for 30 days, and the renter leaves for a couple days or a week, are they in violation? This language needs to be modified to reflect that it is "rented" or "contracted" for 30 days not "occupied." In conclusion, Miller questioned how this would be enforced.

Fenlon suggested including a definition of what the township considers occupancy.

Nixon questioned what motivated the township to change this language to “practical difficulty”, and said there might need to be a definition of what “practical difficulty” means. Also, with regard to the proposed amendment to Section 5.02 Residential I, Use Permitted, the sentence in not constructed properly and he suggest the following: “One guest house located on the same building lot area as the main house and not attached to the same, nor occupied as a rental in any calendar year for periods of less than 30 consecutive days at a time.” This says the same thing, but the grammatical order is a little better. Nixon continued, saying there are more communities concerned about guesthouses being available. Did the township give any consideration to requiring that the owner lives on the property? Recently the Village of Suttons Bay has been concerned with the expansion of their short-term rentals and that they see this possibility as opening up more short-term rentals.

MacDonald said he has similar concerns with the 30-day rental language. It says as long as it’s rented for 30 days, but it doesn’t say “by a single person.” It could be rented by four different people for one week each and it would be “rented” for at least 30 days. MacDonald pointed out that the township explained why they were changing the wording from “hardship” to “practical difficulty.” Miller commented that “hardship” has been the norm for years.

Fenlon suggested a change to the setback restriction language because it needs more clarity.

Yoder said he thought “practical difficulty” was odd, it’s always been hardship. Obviously, it’s a new standard to be used, but what is “practical” and how do you define that? Members questioned if there was definition in the Michigan Zoning Enabling Act.

***Motion by MacDonald, seconded by Nixon, to recommend approval with suggested changes, and to forward the staff report, minutes and all comments to the Cleveland Township Planning Commission. Motion carried 6-0.***

PC03-2023-0 Centerville Twp. – Text Amend

Myer said this request was received February 13 and the last day to review under the 30-day review period was March 13. The Centerville Township Master Plan does not specifically address this proposed amendment and neither does the Leelanau General Plan. The township held a public hearing on February 6 at which time no public comments were received.

Myer continued, reviewing the current zoning ordinance language for Section 13.1 C Site Plan Review and stated that the proposed amendment would amend it to read as follows:

Site plans for towers shall be acted on within 60 days of receipt by the Centerville Township Planning Commission of a complete application and site plan meeting the requirements in B of this Section. Following approval of a site plan and after the twenty-one-day waiting period for appeals, the petitioner shall apply for the appropriate County and/or State permits as may be required by said agencies and present appropriate plans and specifications as may be required by such agencies.

Myer pointed out language from the Declaratory Ruling and Notice of Proposed Rulemaking and concluded by saying that it was noted from the township that there is an FCC rule that Site Plans for communication towers be acted upon within 60 days or they are deemed approved. The township recently reviewed an extensive Site Plan for the expansion of the RV park and were under the 90-day review period. Removing this language provides the township with more time for these reviews.

Miller questioned how the 60-days was defined. Is that business days or calendar days? If it's not acted on, is it automatically approved or denied? The FCC states it, but it is not clarified in the amendment.

Jamie Damm, Centerville Township Planning Commission secretary, stated that the FCC ruling is that those acted upon days are calendar days and if it is not, then it is automatically approved. Miller responded that it should be stated that way within the townships zoning ordinance rather than just assume that people understand that. Damm said she believes it is stated in the tower section of the township's ordinance. Their intent was to remove the 90-day restriction on non-tower applications. Miller responded that if it is defined somewhere, in reference, then it is probably okay.

Fenlon said adding "in accordance with FCC Ruling" would probably work.

Nixon said he knows the intent is to clarify and get out of the 90-day step for ordinary site plans, but is there someplace else in the zoning ordinance that covers how ordinary site plans will be handled?

Damm questioned as to the timing perspective or how to handle it? Nixon responded both. Damm said yes, Section 13 describes exactly how to handle site plans. Nixon questioned if the ordinary person reading the ordinance would know this section pertains just to towers and there is another section that pertains to everything else and the steps to follow. Damm said yes, there was.

Fenlon questioned if there is no 90-day time limit, is there any time limit? Damm responded that there was not. Fenlon questioned if that could potentially create problems with constituents that are not getting approved or denied in a reasonable amount of time. It could be months or years later and what recourse would they have? Damm said it could be upsetting to some since there is no time limit, but they also thought of the county and other townships presentation of the same topic. There are no time limits for non-tower applications within those other townships or at the county level. Nixon commented that the township has had some constraints in the past with the 90-day time limit. Fenlon suggested that maybe six months would be a reasonable time.

Yoder mentioned a prior site plan application that the township denied because of the 90-day time limit. By removing the 90-day time period it allows the commission more time for a thorough review rather than having to make a decision in haste.

***Motion by Fenlon, seconded by Trumbull, to recommend approval and to forward the staff report, minutes and all comments to the Centerville Township Planning Commission. Motion carried 6-0.***

#### Annual Planning Session Topic & Date

Yoder mentioned he had talked with staff regarding moving the annual session to the fall because of difficulty in finding speakers for a spring session. Members were in consensus to move the annual planning session to September or October. Yoder said he was looking for training topics and asked members for suggestions.

Miller suggested having an update on several different hot topics.

Fenlon suggested grant funding for townships and the new county septic ordinance. Trumbull suggested ADU's (accessory dwelling units)

Members were in consensus that they would move this agenda item to next month and be ready with suggestions.

**REPORTS**

Housing Action Committee – No report given.

Parks & Recreation – No report given.

**REPORTS from LCPC members**

MacDonald said he viewed the Leelanau Township meeting in which they talked about the proposed rezoning that was reviewed last month and the township tabled the discussion until next month.

Yoder mentioned that Solon Township is working on their Master Plan.

**COMMUNICAITONS** – None.

**PUBLIC COMMENT** – None.

**STAFF COMMENTS** – None.

**ADJOURN**

Meeting adjourned by consensus at 6:14 p.m.

**Leelanau County Planning & Community Development  
Staff Report PC04-2023-10 (Solon Township)  
Future Land Use Map Review**

Reviewing Entity: Leelanau County Planning Commission  
Date of Review: March 28, 2023

**SECTION 1: GENERAL INFORMATION**

**Requested Action:** Review and comment on the Solon Township Future Land Use Maps.

**Applicant:** Solon Township Planning Commission  
Steve Morgan, Chairman

**SECTION 2: SOLON TOWNSHIP ACTION**

The township planning commission held a public hearing on December 6, 2022 and following the public hearing passed the following motion: *Laskey moved to forward the five Future Land Use Maps to Solon Township for their approval so that the maps may be distributed to adjoining townships and regulatory agencies for their review and comment; Paxton seconded. All present in favor, motion carried.*

On January 12, 2023 the Solon township board made the following motion: *Motion by Shirley Mikowski and seconded by Pat Deering to approve to have the Future Land Use Maps forwarded for review and comments based on and consistent with the Michigan Planning and Enabling Act requirements. Motion carried 4-0.*

On February 28, 2023, the Leelanau County Planning Department received a letter dated February 16, 2023 stating that on January 20, 2023 a “Notice of Intent to Conduct Master Planning” was sent on behalf of Solon Township and that it had come to the townships attention the planning department did not receive this notice. The notice was resent to all interested parties by way of Certified Mail, Return Receipt Requested.

A memorandum dated February 16, 2023 was distributed by the Solon Township Planning Commission to neighboring Local Units of Government and Leelanau County Planning for review of the Solon Township Future Land Use Maps. County Planning received this memorandum on February 28, along with the above-mentioned letter.

**SECTION 3: BASIS FOR PLAN REVIEW**

**Section 41 of the Michigan Planning Enabling Act (MPEA) (PA 33 of 2008, as amended)**, requires a copy of a Plan or extension, addition, revision of other amendment of a Plan to be submitted to the county planning commission for review and comment. The review period for an extension, addition, revision, or other amendment is 42 days.

**Section 41.**

3. If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

(a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).

(b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.

**SECTION 4: STAFF COMMENTS**

Solon Township has submitted maps for review and they are listed on the township website as **Solon Township Future Land Use Maps – Drafts**, and titled as follows:

- Proposed Zoning Districts – Greater Cedar Area (at bottom it lists Proposed Zoning Districts)
- Zoning Districts – The Four Corners (at bottom it lists the Current Zoning Districts)
- Zoning Districts – Allgaier Rd & M-72 (at bottom it lists the Current Zoning Districts)
- Proposed Zoning Districts – Solon Rd & M-72 (at bottom it lists the Proposed Zoning Districts)
- PUD Districts – (at bottom it lists the Current Zoning Districts)

A Master Plan is the vision of how a community will develop over time, providing guidance regarding how areas should be zoned, and standards that should be incorporated into the Zoning Ordinance.

The Master Plan on the township’s website is dated 2013. At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission. This doesn’t require a local municipality to do an update every five (5) years, but it does require a review and then recording that decision in the minutes.

Section 43 of the MPEA states:

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the **legislative body by resolution has asserted the right to approve or reject the master plan.** In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. **A statement recording the legislative body’s approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.**

Staff is not aware if the Township Board has asserted its right to approve or reject the Master Plan under Section 43 of the MPEA. If the Board passes a resolution, then the final approval of the Plan Update will be taken by the Township Board. Otherwise, the planning commission has final approval.

In September of 2022, staff received a request for an “informal review” of materials for the township master plan. An informal review is a review staff offers to townships and villages in order to provide some comments and suggestions during the process of amending a zoning ordinance or a plan. It does not take the place of the review by the county planning commission as stated in the Michigan Planning and Zoning Act. Following an informal review, a local municipality still submits the township request to the county once the township has completed its process. The county has a 30-day review period for changes to the zoning ordinance. In the case of an amendment to a Plan, the review period is 42 days.

Staff prepared their informal review and it was sent to the Solon Township Planning Commission in October of 2022. Staff also sent out (to all townships and villages) Checklists to follow for amending a Master Plan or a



Zoning Ordinance. These Checklists were developed by MSU Land Use Extension and are very helpful for local municipalities, and the county.

Much of the text below comes directly from the informal review that staff completed in October:

Staff notes that the maps are referred to as “Future Land Use maps” but they are labeled as “Zoning Districts” and “Proposed Zoning Districts and “PUD Districts.” While some communities have a Future Land Use Map that uses similar titles for the areas on the map as what you would see on a zoning map (i.e., Residential 1, Ag/Conservation, etc.) other communities identify the Future Land Use Areas by terms such as ‘high density residential’, ‘medium density residential’, ‘commercial corridor’, etc.

A good example is the map in the Elmwood Township Master Plan which can be found on page 50: [https://www.leelanau.gov/downloads/mp\\_approved\\_032018.pdf](https://www.leelanau.gov/downloads/mp_approved_032018.pdf) And page 43 of the Plan includes a chart which lists the future land use areas, the compatible zoning districts for each area, and evaluation factors. Whichever route the township takes, there should be a distinction in the titles of the Maps so the reader understands what is the zoning ordinance map, and what is the map showing the plan for future land uses in the township.

Staff is not clear on what the township is proposing to change in the Master Plan. Usually, a Master Plan is submitted with changes to the text, and proposed changes to the Maps. The county has received Maps first, but the text is still being worked on. In addition, some of these maps are titled as Zoning Districts. Is the township changing its zoning map? We don’t think so, because that would require an amendment to the zoning ordinance, not the Master Plan. A cleaner title for each of the Maps would be beneficial, and it would eliminate the confusion between zoning designations, and land use designations in a master plan. Also, these maps reflect changes which were requested by various property owners over the last few years. As noted below, the township has several rezoning requests which have been held in abeyance, and these proposed maps appear to change the zoning designations on these properties. If these maps are presented as changes for the Master Plan, the township will still need to complete the rezoning process for each of these. The action by the Township Board on each rezoning will be final, unless properly petitioned and submitted to the Township for a referendum by the voters in the township.

Township minutes indicate three rezoning requests were submitted (Flaska, Zelinski, and Davids) and were all addressed with different types of motions. The motion passed at the October 3, 2017 township planning commission meeting was to “put the Flaska rezoning application in abeyance until the PC can 1) finish the Zoning Ordinance 2) address issues in the Master Plan and 3) look at Business Corridor Zoning. The motion passed at the April 5, 2022 township planning commission meeting was to “table the Zelinski application for rezoning until the future land use map is completed”. The motion at the July 5, 2022 township planning commission meeting was to “put the Davids rezoning request from AC to RA2 in abeyance until the future land use map is updated and approved by the township board”. **NOTE:** The future land use map would not be approved by the township board, unless the township board takes action under Step 7 of the Checklist to assert its right to approve or reject the Master Plan. Also, a Township is not required to change its Master Plan, or its zoning ordinance, because a citizen(s) has asked. Zoning classifications have to be reasonable and a property owner has to be allowed a reasonable use of their property.

Recent surveys or citizen questionnaires, as well as Census data, and other relevant studies should be utilized and documented to support decisions made for changes to the Plan. Is there a need for an additional \_\_\_ acres for business or \_\_\_ acres for high density residential and what is this based on? Was Census data was used for the proposed changes? In 2017 the township conducted a survey. (Results are posted on <https://www.leelanau.gov/solontwp2064836.asp> ) Survey results from 2017 indicate 58% of responders would like to see planned and limited growth and 57% of responders wanted to see commercial growth directed along M-72. Does this survey (or questionnaire) have duplicate answers from multiple property owners? If so, what do the

numbers look like if the duplicates are removed? Was it controlled so only township residents or property owners could respond?

For the last update to the Leelanau County General Plan, the county conducted a questionnaire instead of a survey. What is the difference between a survey and a questionnaire? Surveys are research methods that use questions to gather information from a specific set of respondents (like township citizens), evaluate the data, and draw conclusions. Surveys usually involve a blend of closed and open-ended questions to poll the participants in order to generate data. Questionnaires are tools that use a set of questions to obtain answers from respondents. Questionnaires are generally faster to complete and more cost-effective.

The most recent document listed on the Solon Township website page is called Survey Results and it is from 2017. There is no identifying information as to who formulated this document or compiled it, or the date it was completed. This would be helpful, especially if the township (or citizens) had questions on the results or someone wanted to know how it was conducted (mailed, online, etc.) And while it's not a requirement to be in a Master Plan, some communities have attached a copy of the entire survey and the responses in an Appendix. **NOTE:** Staff has been informed that a newer Survey was conducted (2022?) but staff has not seen the results, and they are not listed on the website.

Staff is not clear on the maps that have been presented by the township and suggest that at a minimum, the title to the maps be changed to reflect that these are Maps for the Master Plan, and are not the zoning map. Another suggestion would be to eliminate the 'current zoning districts' at the bottom of these maps and identify if the areas are residential, high density residential, commercial, etc. Without the text changes for the Master Plan, it's also difficult to comment on the designations on the PUD Districts map.

**Appendix – Correspondence from Solon Township**

**Gail Myer**

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**From:** Trudy Galla  
**Sent:** Monday, March 6, 2023 10:13 AM  
**To:** Tim  
**Cc:** Gail Myer  
**Subject:** RE: County Planning Commission - next meeting  
  
**Expires:** Saturday, September 2, 2023 12:00 AM

We will place it on the agenda. I will not be in attendance at that meeting as I will be traveling.  
Are there any more minutes that need to come to us for the staff report?  
cc: Gail Myer, Senior Planner

Trudy

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**From:** Tim <tim@allpermits.com>  
**Sent:** Monday, March 6, 2023 10:10 AM  
**To:** Trudy Galla <tgalla@leelanau.gov>  
**Subject:** Re: County Planning Commission - next meeting

Making sure the Solon Township Future Land Use map amendments will be on your agenda.....

Timothy A Cypher  
Cypher Group Inc.  
Centerville, Empire, Kasson, Glen Arbor, Leland & Solon Zoning/Planning Office  
231-360-2557  
[tim@allpermits.com](mailto:tim@allpermits.com)

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**From:** Trudy Galla <[tgalla@leelanau.gov](mailto:tgalla@leelanau.gov)>  
**Date:** Monday, March 6, 2023 at 10:06 AM  
**To:** Trudy Galla <[tgalla@leelanau.gov](mailto:tgalla@leelanau.gov)>  
**Subject:** County Planning Commission - next meeting

Township & Village Planning Commission Chairs, Township & Village Clerks, Zoning Administrators:

The Leelanau County Planning Commission is scheduled to meet Tuesday, March 28 at 5:30 pm. If you have a township or village item that needs to come to the county for review, please submit all information and minutes from your meeting, so staff reports can be prepared.

**All meeting materials are sent to the county planning commission 1 week ahead of the meeting.**

Thank you.

Trudy J. Galla, AICP, Leelanau County Planning Director  
8527 E. Government Center Dr., Suite 108  
Suttons Bay MI 49682  
231-256-9812  
[tgalla@leelanau.gov](mailto:tgalla@leelanau.gov)

**Gail Myer**

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**From:** Allison Hubley <allisonhubley@hotmail.com>  
**Sent:** Monday, March 6, 2023 1:37 PM  
**To:** Trudy Galla  
**Cc:** Gail Myer; solonpc21@yahoo.com; stephen7yoder@gmail.com; Tim  
**Subject:** County Planning Commission Meeting - Solon Twp Future Land Use Map Amendment (Minutes)  
**Attachments:** Solon\_Twp\_PC\_Jan\_2022.pdf; Solon\_Twp\_PC\_Mar\_2022.pdf; Solon\_Twp\_PC\_April\_2022.pdf; Solon\_Twp\_PC\_May\_2022.pdf; Solon\_Twp\_PC\_June\_2022.pdf; Solon\_Twp\_PC\_July\_2022.pdf; Solon\_Twp\_PC\_Sept\_2022.pdf; Solon\_Twp\_PC\_Oct\_2022.pdf; Solon\_Twp\_PC\_Nov\_2022.pdf; Solon\_Twp\_PC\_Dec\_2022.pdf

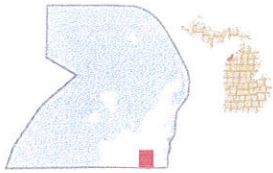
Hi Trudy,

To be sure that you have everything that you need from us, Tim asked me to please send you the minutes from the Solon Township PC Meetings in 2022 where the Future Land Use Maps were discussed. I have attached the minutes from each meeting to this message. Please note that this topic was not discussed in February of 2022 (agenda item was tabled) so I am not sending those minutes, and the August PC meeting was cancelled. Thank you.

Sincerely,  
Allison

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Allison Hubley-Patterson  
Recording Secretary  
Kasson, Leland and Solon Township  
Cell phone: (248) 302-9195



February 16, 2023

RE: **Public Notice**  
**Solon Township Planning Commission, Leelanau County,**  
**State of Michigan**  
**Notice of Intent to Conduct Master Planning**

To All Interested Parties:

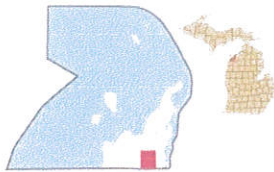
On January 20, 2023, a "Notice of Intent to Conduct Master Planning" was sent to you on behalf of Solon Township in Leelanau County. It has come to our attention that the Leelanau County Planning Department did not receive this Notice; therefore, we are resending the Notice to all interested parties by way of Certified Mail, Return Receipt Requested. A signed Affidavit dated February 16, 2023 has also been included.

A Public Notice regarding the Distribution of Proposed Plan Amendment will be forthcoming; the five (5) Future Land Use maps prepared by Solon Township will be included with this second notice.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Allison Hubley-Patterson  
Recording Secretary, Solon Township



February 16, 2023

**Public Notice**  
**Solon Township Planning Commission,**  
**Leelanau County, State of Michigan**  
**Notice of Intent to Conduct Master Planning**

To All Interested Parties:

On behalf of the Solon Township Planning Commission and in accordance with the requirements of Michigan's PA 33 of 2008 and related amendments, this is to notify you that Solon Township, Michigan, is initiating the process to complete an update of the Master Plan for the Township.

This Notice is being issued as required by the Michigan Planning Enabling Act (MPEA; Act 33 of 2008). In accordance with the MPEA and related amendments, when a township is intending to prepare a master plan update, it must notify by first class mail or personal delivery the following parties: the planning commission or elected body of any city, village, or township located within or contiguous to the township; the county board of commissioners; the regional planning commission; any public utility company, railroad company, and/or public transportation agency operating within the local unit of government; and any government entity that registers its name to be notified.

The notice must occur in advance of the formal planning process. The notice of intent to plan should note that the Township is beginning a planning process and encourages and requests cooperation and comments from all notified parties.

The Township requests your cooperation and assistance in this process. Specifically, we would like to know if you have any suggestions or comments that you believe should be addressed in this effort. Later in the process, the Township will issue a draft copy of the Master Plan for public review and comment, as required by the Act. At that time, the Township would welcome comments regarding the Plan's content.

**PLEASE BE NOTIFIED** that you are invited to send a letter stating your opinions, position, or questions to Solon Township (Attn: Timothy A. Cypher, Planning/Zoning Administrator), P.O. Box 226, Lake Leelanau, MI 49653, or email: [tim@allpermits.com](mailto:tim@allpermits.com).

The Township looks forward to your participation in this process.

Sincerely,  
Timothy A. Cypher  
Planning/Zoning Administrator, Solon Township

## Affidavit

With regard to the Solon Township Master Plan, the "Intent to Plan" letter was sent to the following businesses, county departments and townships on Thursday, February 16, 2023 by way of United States mail. The letters were sent Certified Mail, Return Receipt Requested and were mailed from the Traverse City Post Office, 202 S. Union Street, Traverse City, MI 49684.

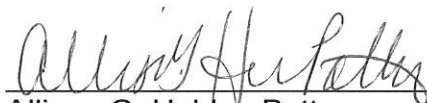
### Businesses/County Departments:

1. Bay Area Transportation Authority (BATA)
2. Cherryland Electric Cooperative
3. Consumers Energy
4. Leelanau County Planning and Community Development
5. Leelanau County Road Commission

### Townships:

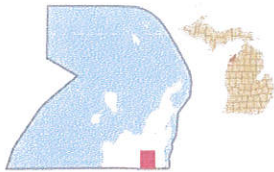
- |                          |   |
|--------------------------|---|
| 1. Bingham Township:     | Ms. Kathy Morio, Clerk                        |
| 2. Bingham Township:     | Chair, Planning Commission                    |
| 3. Centerville Township: | Ms. Elizabeth Chiles, Clerk                   |
| 4. Centerville Township: | Mr. Tim Johnson, Chair, Planning Commission   |
| 5. Cleveland Township:   | Ms. Tanelle Budd, Clerk                       |
| 6. Cleveland Township:   | Mr. Dean Manikas, Chair, Planning Commission  |
| 7. Elmwood Township:     | Ms. Connie Preston, Clerk                     |
| 8. Elmwood Township:     | Mr. Rick Bechtold, Chair, Planning Commission |
| 9. Kasson Township:      | Ms. Dana Boomer, Clerk                        |
| 10. Kasson Township:     | Mr. Gerald Roush, Chair, Planning Commission  |
| 11. Solon Township:      | Ms. Shirley Mikowski, Clerk                   |
| 12. Solon Township:      | Mr. Steve Morgan, Chair, Planning Commission  |
| 13. Almira Township:     | Ms. Tammy Clous, Clerk                        |
| 14. Almira Township:     | Chair, Planning Commission                    |
| 15. Garfield Township:   | Ms. Lanie McManus, Clerk                      |
| 16. Garfield Township:   | Mr. John Racine, Chair, Planning Commission   |
| 17. Long Lake Township:  | Ms. Ronda Robinson, Clerk                     |
| 18. Long Lake Township:  | Mr. Rick Craves, Chair, Planning Commission   |

Signed:



\_\_\_\_\_  
Allison G. Hubley-Patterson  
Recording Secretary, Solon Township





February 16, 2023

**Public Notice**  
**Solon Township Planning Commission,**  
**Leelanau County, State of Michigan**  
**Distribution of Proposed Plan Amendment (Future Land Use Maps)**

To All Interested Parties:

On behalf of the Solon Township Planning Commission and in accordance with the requirements of Michigan's PA 33 of 2008 and related amendments, this is to provide you with the proposed plan amendment that has been completed for the Township. In conjunction with this letter, please find enclosed five (5) Future Land Use Maps. In a letter dated January 20<sup>th</sup> and in a second letter dated February 16<sup>th</sup> (in which the first letter was re-sent), you were notified that Solon Township initiated the process to complete an update of the Master Plan for the Township.

This Notice is being issued as required by the Michigan Planning Enabling Act (MPEA; Act 33 of 2008). In accordance with the MPEA and related amendments, when a township intends to distribute a proposed plan amendment, it must notify by first class mail or personal delivery the following parties: the planning commission or elected body of any city, village, or township located within or contiguous to the township; the county board of commissioners; the regional planning commission; any public utility company, railroad company, and/or public transportation agency operating within the local unit of government; and any government entity that registers its name to be notified.

The five (5) Future Land Use Maps are being distributed prior to the text of the Master Plan for a specific reason. Solon Township currently has four (4) pending rezoning applications which are being held in abeyance; some of these applications date back several years. This action was necessary to allow time for the Planning Commission to work on the Future Land Use Maps. This process has been completed and the maps were formally approved for distribution by motion at the Solon Township Board Meeting on January 12, 2023. The five (5) Future Land Use Maps for your review are titled: Cedar Zoning, 4 Corners Zoning, Allgaier Zoning, Solon Road and 72 Zoning and Solon PUD. These maps may also be viewed online at [www.leelanau.gov/solontwp9566952.asp](http://www.leelanau.gov/solontwp9566952.asp)

The Township requests your cooperation and assistance in this process. Specifically, we would like to know if you have any suggestions or comments regarding the five (5) Future Land Use Maps. Later in the process, the Township will issue a draft copy of the Master Plan for public review and comment, as required by the Act. At that time, the Township would welcome comments regarding the Plan's content.

**PLEASE BE NOTIFIED** that you are invited to send a letter stating your opinions, position, or questions to Solon Township (Attn: Timothy A. Cypher, Planning/Zoning Administrator), P.O. Box 226, Lake Leelanau, MI 49653, or email: [tim@allpermits.com](mailto:tim@allpermits.com). The Township looks forward to your participation in this process.

Sincerely,  
Timothy A. Cypher  
Planning/Zoning Administrator, Solon Township

## Affidavit

With regard to the Solon Township Master Plan, the "Distribution of Proposed Plan Amendment (Future Land Use Maps)" letter was sent to the following businesses, county departments and townships on Thursday, February 16, 2023 by way of United States mail. The letters were sent Certified Mail, Return Receipt Requested and were mailed from the Traverse City Post Office, 202 S. Union Street, Traverse City, MI 49684.

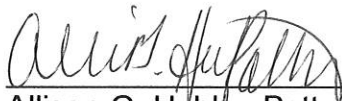
### Businesses/County Departments:

1. Bay Area Transportation Authority (BATA)
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5. Leelanau County Road Commission

### Townships:

- |                          |   |
|--------------------------|---|
| 1. Bingham Township:     | Ms. Kathy Morio, Clerk                        |
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Signed:



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Allison G. Hubley-Patterson  
Recording Secretary, Solon Township









# Zoning Districts

Allgaier Rd & M-72



1 inch = 300 feet

## Current Zoning Districts

- |  |  |  |
|--|--|--|
|  Agricultural Conservation (AC) |  Residential (R1) |  Residential Agricultural (RA2) |
|  Business 1 (B1)                |  Residential (R2) |  Residential Agricultural (RA5) |
|  Business 2 (B2)                |  |  Resort / Recreational (RR)     |

# Zoning Districts

Allgaier Rd & M-72



1 inch = 300 feet

## Current Zoning Districts

- |                                |                     |                                |
|--------------------------------|---------------------|--------------------------------|
| Agricultural Conservation (AC) | Governmental (GOVT) | Residential Agricultural (RA2) |
| Business 1 (B1)                | Residential (R1)    | Residential Agricultural (RA5) |
| Business 2 (B2)                | Residential (R2)    | Resort / Recreational (RR)     |

This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found herein.

# Zoning Districts

The Four Corners



1 inch = 300 feet

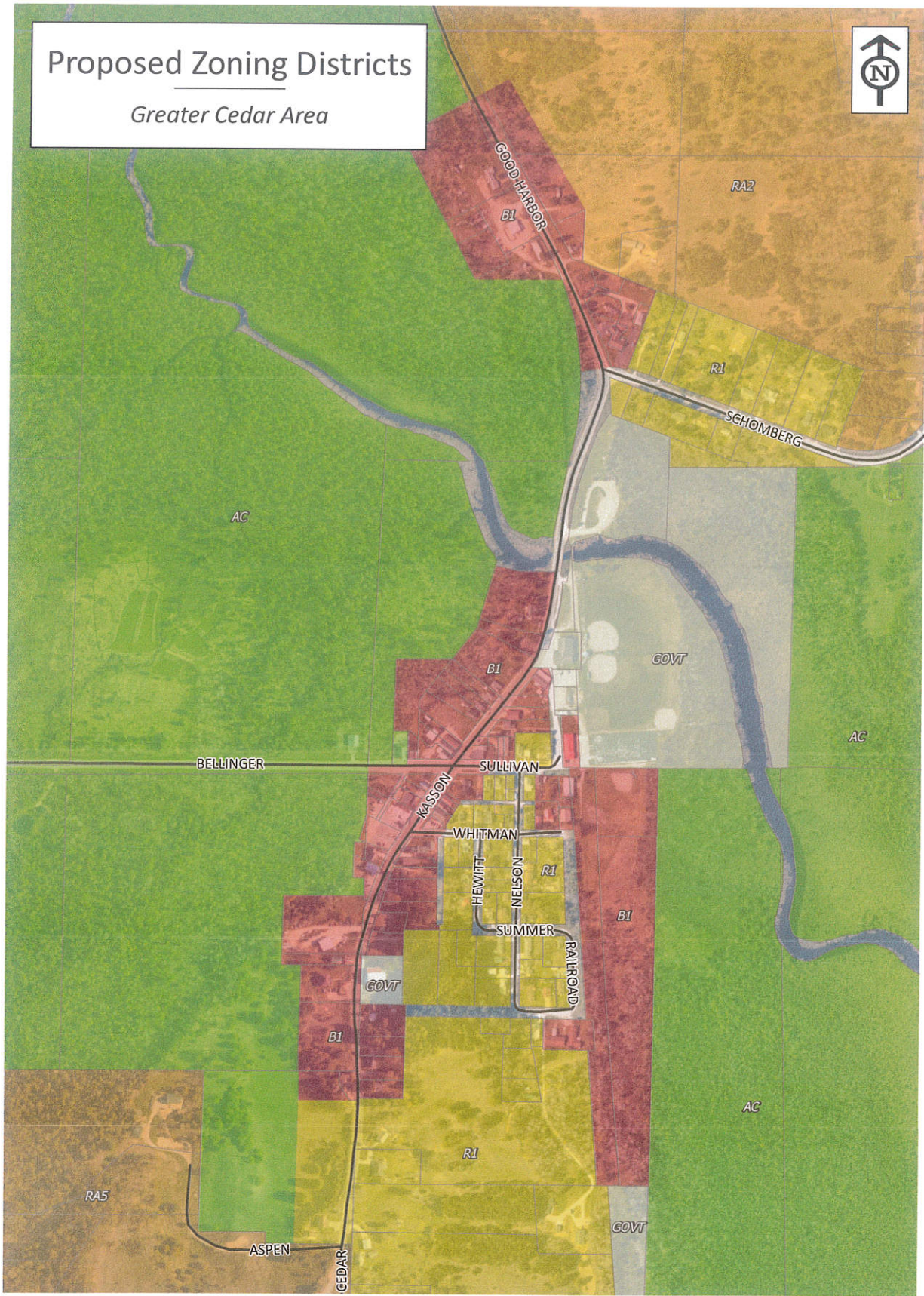
## Current Zoning Districts

- |                                |                     |                                |
|--------------------------------|---------------------|--------------------------------|
| Agricultural Conservation (AC) | Governmental (GOVT) | Residential Agricultural (RA2) |
| Business 1 (B1)                | Residential (R1)    | Residential Agricultural (RA5) |
| Business 2 (B2)                | Residential (R2)    | Resort / Recreational (RR)     |

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# Proposed Zoning Districts

## Greater Cedar Area

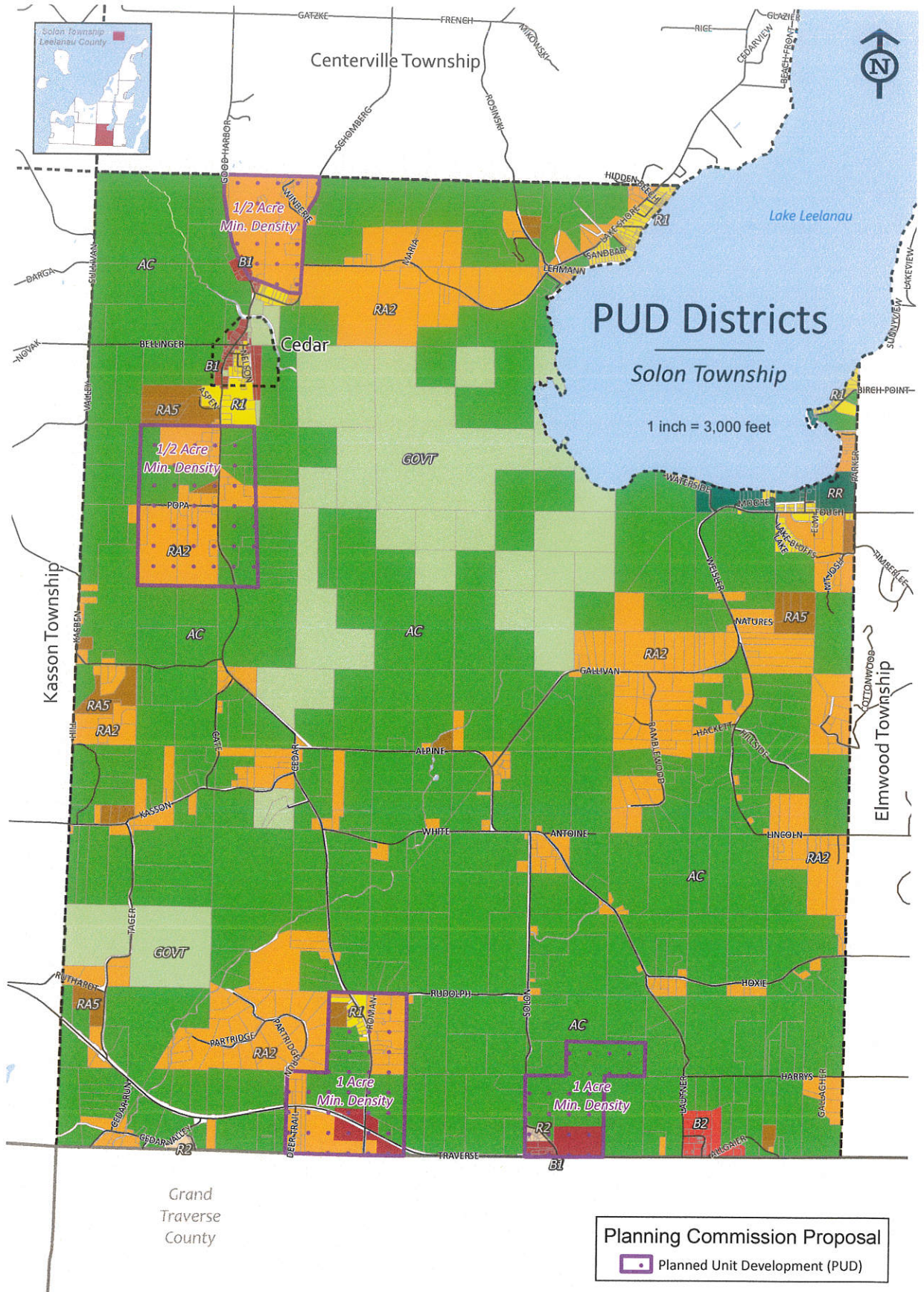


1 inch = 400 feet

# Proposed Zoning Districts

- Agricultural Conservation (AC)
  - Business 1 (B1)
  - Business 2 (B2)
- Governmental (GOVT)
  - Residential (R1)
  - Residential (R2)
- Residential Agricultural (RA2)
  - Residential Agricultural (RA5)
  - Resort / Recreational (RR)

This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found herein.



### Current Zoning Districts

- |   |   |  |
|---|---|--|
| <span style="color: green;">■</span> Agricultural Conservation (AC) | <span style="color: lightgreen;">■</span> Governmental (GOVT) | <span style="color: orange;">■</span> Residential Agricultural (RA2) |
| <span style="color: red;">■</span> Business 1 (B1)                  | <span style="color: yellow;">■</span> Residential (R1)        | <span style="color: brown;">■</span> Residential Agricultural (RA5)  |
| <span style="color: darkred;">■</span> Business 2 (B2)              | <span style="color: tan;">■</span> Residential (R2)           | <span style="color: teal;">■</span> Resort / Recreational (RR)       |

This map is prepared by Leelanau County for reference purposes only. Leelanau County is not liable for any errors that may be found herein.

# Proposed Zoning Districts

Solon Rd & M-72



1 inch = 300 feet

## Proposed Zoning Districts

- |                                |                     |                                |
|--------------------------------|---------------------|--------------------------------|
| Agricultural Conservation (AC) | Governmental (GOVT) | Residential Agricultural (RA2) |
| Business 1 (B1)                | Residential (R1)    | Residential Agricultural (RA5) |
| Business 2 (B2)                | Residential (R2)    | Resort / Recreational (RR)     |



**SOLON TOWNSHIP PLANNING COMMISSION**  
**Tuesday, December 6, 2022**  
**Solon Township Hall**  
**9191 South Kasson Street, Cedar, MI 49621**

I. Call Meeting to Order/Pledge of Allegiance

Chairman Morgan called the meeting to order at 6:00 p.m. with the Pledge of Allegiance.

II. Roll Call / Guest Sign-in

Present: Al Laskey, Member; Steve Morgan, Chair; Meg Paxton, Member; Samantha Vandervlucht, Member; Todd Yeomans, Vice Chair/ZBA Rep and Steve Yoder, Township Board Rep

Staff Present: Tim Cypher, Zoning Administrator (attended virtually); Allison Hubley-Patterson, Recording Secretary

Members of the public: In total, there were ten (10) members of the public present at various times throughout the meeting.

III. Motion to Approve Minutes – November 1, 2022

Chairman Morgan asked for a motion to approve the November minutes.  
**LASKEY MOVED TO APPROVE THE NOVEMBER 1, 2022 MINUTES AS PRESENTED; PAXTON SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

IV. Agenda (additions/subtractions by PC)

Chairman Morgan asked for a motion to approve the December agenda.  
**PAXTON MOVED TO APPROVE THE DECEMBER AGENDA AS PRESENTED; YEOMANS SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

V. Correspondence - none

VI. Conflicts of Interest - none

VII. Public Comment (three minutes per person unless extended by Chair) - none

Mr. Charlie Smith stated that he resides in Ramblewood and indicated that he previously took a course in matters pertaining to planning and zoning when he first moved to the area. He commented that the course emphasized that residents should have a say as the Master Plan is being developed or

rewritten. Mr. Smith stated that the meeting where the survey results were discussed went well; however, subsequent meetings were controlled by an individual who is not on the PC. He believes that the PC should trash the future land use maps and start the process over again based on what the township residents want.

Ms. Judy Janosik concurs with Mr. Smith and added that things have moved away from what the township residents want for the area. She congratulated the recording secretary on doing a great job of preparing the meeting minutes. She also appreciates seeing information posted on the website.

Mr. Corey Flaska stated that he is a Solon Township business owner and landowner. He studied the survey and believes that the future land use maps do indeed address what residents want and added that we are going down the perfect path. Mr. Flaska stated that information was taken from the survey to select certain areas where the PC has worked on with regard to the maps.

## VIII. Reports

### **Township Board Rep:**

Yoder did not have a report as he was absent from the last township board meeting.

**ZBA Rep:** Yeomans had nothing to report.

**ZA:** Cypher recently emailed his monthly report to all PC members and township board members; there was one land use permit issued during the month of November for a small shed. Cypher stated that Ms. Mikowski had some questions and concerns about the Landscaping section of the draft zoning ordinance and he addressed those to her and copied the PC members. Cypher added that he has lobbied the individual township board members regarding the landscape ordinance as he believes we have an exposure here. Each project that comes before the PC has flexibility and waivers can be obtained; the township board will also be able to provide input.

## IX. PUBLIC HEARING – Future Land Use Maps

### a. Open PH by Chair – Presentation

Chairman Morgan asked for a motion to officially suspend the regular meeting and open the Public Hearing at 6:09 p.m. **YODER MOVED TO OFFICIALLY SUSPEND THE REGULAR MEETING AND OPEN THE PUBLIC HEARING AT 6:09 P.M.; VANDERVLUCHT SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

Chairman Morgan explained to members of the public that if their comment is framed in the form of a question, we will obtain the answers to specific questions that are asked at a later time in the meeting.

b. PC Questions / Discussion

Cypher began by reading the legal notice that appeared in the *Leelanau Enterprise* on November 10, 2022. Cypher did not receive any comments following publication of the public notice. He apologized that the future land use maps were not posted on the Solon Township website in a timely manner and stated that staff asked the Leelanau County Planning Department to assist with this so that we would be in compliance with the Michigan Zoning Enabling Act requirements. He requested that anyone with concerns please call him to discuss the delay that occurred.

c. Staff Comments (ZA/Planner)

Chairman Morgan asked for confirmation that the future land use maps are in draft format and also sought confirmation that the PC is not recommending that zoning be changed; Cypher replied that this is correct as to both of Chairman Morgan's questions.

Yeomans inquired about the change that Mr. Flaska pointed out on the "PUD Districts" map. Yeomans and Mr. Flaska showed various individuals the change that is needed; Chairman Morgan noted that the Solon Road area is missing a little area that should go to the east. Cypher requested that someone please take a picture and send this to him. This map was agreed to by all at the last meeting but Cypher stated that this change can easily be made. He also noted that the maps had been previously emailed to the PC members and stated that it would be helpful to learn of any needed changes prior to the meeting. Cypher asked Mr. Flaska if this pertains to the 80 acres that goes over to Lautner Road near the farm; Mr. Flaska stated that this is actually 40 acres off of Lautner and that the other 40 acres behind the Iris Farm is part of his larger parcel.

Cypher stated that the five maps which have been distributed for discussion at tonight's meeting are for the following areas: PUD Districts, The Four Corners, Allgaier Road and M-72, Greater Cedar Area and Solon Road and M-72. He added that several decisions had been made on the maps and then some changes were made at subsequent meetings. The future land use maps serve as guidance documents to the zoning ordinance. If things are not shown on the future land use maps, an amendment is needed on these maps should anyone come forward with a zoning amendment.

Chairman Morgan inquired about a parcel on Allgaier Road and asked if this is zoned as B1 or B2; Cypher replied, "B2". This is a ten- or eleven-acre parcel and is the parcel that pertained to the Zelinski amendment request.

Vandervlucht stated that she is concerned about setting a precedent by placing some applications in abeyance and then customizing the future land use maps to suit these requests. She did not offer any solutions to this issue but stated that she merely wanted to mention this for the record. Vandervlucht simply wants to note this but does not disagree with the work of the PC regarding the maps.

- d. Public Comment (limited to three minutes per person unless extended by Chair) – no public comment

Ms. Donna Kozisek stated that she resides off of Rudolph Road and would like to gather information for her knowledge. She asked for an explanation of the term “PUD” and asked if this involves rezoning. She also sought clarification as to what the black dots on the map represent. She notes that there are changes across from her and asked what is happening here.

Mr. Blake Vidor resides at 6315 East Lincoln Road. He spoke to the area of where Lincoln Road makes a large turn to the north and asked if the PC would consider changing some AC to RA2 in this location. He added that this area borders Elmwood Township and this change would be consistent with Elmwood as well as what is already in Solon Township. This would allow landowners and citizens more options as to what to do with their property.

Mr. Corey Flaska stated that the PC did an excellent job with the future land use maps. He has been attending meetings for approximately four years and was eager to get to this point with the maps. He noted that we are getting more thorough; we have invited the public to meetings for four years and we have done our job.

Ms. Karen Smith stated that she concurs with Vandervlucht’s comment regarding setting a possible precedent and believes these comments are spot-on. She asked why is it that the PC wants to undertake this project and asked if it is for the money. She stated that adding PUDs throughout Cedar will change the quaintness of the area. Ms. Smith commented that we can go into Traverse City for hotels, shopping, etc; Cedar is quiet, quaint and personal. She is concerned as to the number of PUDs that are being recommended and stated that the PC could begin with a few and then go from there. She believes that the PC should listen to the community and referenced the previous referendum.

Ms. Jackie Baase lives in the Ramblewood subdivision and stated that she concurs with Ms. Smith’s comments.

- e. PC’s Response to Public Comment

Cypher addressed some of the questions that were raised during public comment. He began by explaining that a PUD is a Planned Unit Development

and that this was previously referred to as a PRD, Planned Residential Development, in the zoning ordinance. With a PRD, the township board could determine the density with no input from the public. The PC wanted to be sure that the public is heard when it comes to these matters. He added that if one looks at the PUD map, they do not exist everywhere. There are four total sites for PUDs on the map. The language in the zoning ordinance refers back to the future land use maps and the Master Plan to create the density. With a PUD, a critical component is that there is both residential and business development near each of these PUDs. Starting with the north of Cedar, some people would say that  $\frac{1}{2}$  of an acre is too dense. The area is already zoned RA two acres; with the PUD, you are also required to have open space. Every project that comes before the PC must show a formula for open space in addition to other requirements.

Cypher stated that there is a lot of RA2 zoning in the area south of Cedar; RA5 and RA1 are touching the northern tip of the PUD. The PC was consistent with not having anything less than  $\frac{1}{2}$  acre. Some people believe that 5,000 square feet or 10,000 square feet would be high density. One acre is 43,560 square feet so  $\frac{1}{2}$  acre is over 21,000 square feet of space and this would not include the open space. The PC did a good job of trying to promote growth in areas that are already established.

To the south of the township, Cypher stated that the area along M-72 shows a great deal of RA1, RA5, RA2 and some business areas; the red area represents proposed expansion of the Four Corners area. This is a logical place to expand as a traffic study was previously conducted and this intersection now has a stop light. Properly placed businesses could be shielded appropriately and placed in this location within the PUD box; this is a one-acre minimum density.

Solon Road has R2 zoning which is high density. This is the area near Grumpy's. Mr. Flaska has the zoning amendment that he initiated approximately five years ago and this would become B1 zoning. Cypher also addressed the area near Rudolph Road in relation to Ms. Kozisek's questions. She was concerned about whether area property owners knew this would be rezoned. Cypher reiterated that the PC is not re-zoning and taxes do not go up with zoning. It is up to the individual property owner to decide what they want to do with their property. For a PUD, the minimum is 10 acres but it could be 20, 30 or 40 acres. The PUD would be restricted within the boundaries and each individual property owner would need to decide if they want to be a part of this or not.

Cypher addressed Mr. Vidor's comments. Mr. Vidor would like the PC members to look at the far east side of the township where Lincoln Road makes the big bend to the north; there is already spot zoning in this area. Mr. Vidor purchased two parcels on Lincoln Road; he and his wife now own three one-acre parcels on the corner. Cypher stated that Mr. Vidor wants to have RA2 expanded to fill in the quadrant on the map west of the vertical parcels

that exist in the R2 zoning. This would clean things up and would no longer be considered spot zoning. This would also help to provide more housing. Cypher added that the PC heard from residents during the public hearings that housing is needed. Chairman Morgan stated that he resides in this area, too, and reiterated that he also likes the ruralness of the area.

f. PC further discussion with Staff (if required)

Yeomans inquired as to why the term “PUD” triggers something in people. Cypher stated that Ramblewood was a site condominium and had to go through the site condominium map to be developed. Yeomans asked if a PUD could be a site condominium. Cypher stated that this is not necessarily true. With site condominiums, master deeds bylaws are required. A great deal of legal counsel and review is also required based on the density that is proposed. Yeomans asked if people do not like PUDs because this is what they are called.

Yeomans stated that Vandervlucht indicated that we are doing this because people have requested things from the PC but Yeomans does not see that people have requested things relative to the Greater Cedar area. He was curious as to what is making people who live in a subdivision on Lincoln Road care about things that are several miles away. Chairman Morgan replied that it is probably the density that people are concerned about. Yeomans stated that people are stating that more housing is needed but they cannot afford a 10-acre lot. Yeomans believes that people are saying “We want more houses” as well as “We do not want more houses”; he asked if people want more housing or not. Paxton replied that the PUDs represent “pods of possibility”. She noted that Vandervlucht was stating that people could have lots of pods with more housing but Yeomans stated that he is very baffled by this. Vandervlucht believes that putting this PUD map together serves as a protection for our township. She wants to make sure that people do not come into a PC meeting with the approach that this is the time they can get things done. Yeomans stated that this is precisely what happened previously.

Paxton stated that the PC needs to select the places and say that this is how things are going to be; the PC should stay the course. Cypher stated that the PC is a recommending body only. If the maps are approved, the information will be forwarded to the township board; their next scheduled meeting is Thursday, December 8, 2022; however, the minutes will not be finished by then so expect the Board to have this matter on their January meeting agenda.

Cypher stated that nothing can happen based on the Michigan Planning Enabling Act and this goes nowhere until the township board approves it. Cypher read a passage from the Act: “A Planning Commission shall submit the proposed Master Plan to the legislative body for amendments for review and comment. The process of adopting the Master Plan shall not proceed

further unless the legislative body approves the distribution of the proposed amendment to the Master Plan". Cypher added that although the PC worked on this project, the final decision is made at the township board level.

Chairman Morgan asked the PC members if they had any additional questions. Laskey asked Mr. Flaska if he had any knowledge of a project that is being developed on Gray Road. Mr. Flaska stated that he checked with Long Lake Township and this is an apartment complex; he added that houses will eventually be built here as well. It was noted that there is also a senior housing complex being developed on Zimmerman Road. This discussion was about a Long Lake Township matter and not Leelanau County or Solon Township.

g. Close Public Hearing by Chair

The Public Hearing officially closed at 6:55 p.m. but a motion was not required. The PC members returned to the regular meeting.

h. Deliberations with PC members / questions if needed

Laskey stated that the PC has beat this issue to death and he is in favor of sending this to the township board.

Vandervlucht stated that there are a couple of things that she disagrees with as a whole but understands that she cannot get those items changed. She does not agree with more B2 zoning and noted that these neighbors were very vocal. However, she added that she is happy with the protection that the changes we made will afford the township. Paxton stated that she is happy but thinks that some parcels are too small for possibility; she believes we have taken our possibilities down significantly and added that the PC answers to the people. Paxton stated that we should be open to all comments based on the survey and that we must be equal to everyone.

Yoder stated that he is not thrilled with everything that has been done on this project but added that he is 100% supportive that we move forward on this matter to keep the ball rolling. He does not like everything but believes the PC is headed in the right direction. He does not want to make a quick decision on Mr. Vidor's request this evening and stated that he would like to look more closely at this particular area and properly vet the area.

Yeomans stated that he is ready to send this on to the township board. He does not like everything and wanted to see more north of Cedar and not just to the south or east of Cedar. He would love to see what the township board comments are and stated that they may or may not like what we have done. If they do not like this, it could very well be a waste of five years of work.

Chairman Morgan stated that he wants to take the stance that we protect the ruralness of the township; he agrees with Vandervlucht that we do not need

more B2 zoning. He feels that the Solon Road area is too large and that this represents too drastic of a change.

i. PC Motions / Action

Chairman Morgan asked for a motion to forward the five Future Land Use Maps to Solon Township for their approval so that the maps may be distributed to adjoining townships and regulatory agencies for their review and comment. **LASKEY MOVED TO FORWARD THE FIVE FUTURE LAND USE MAPS TO SOLON TOWNSHIP FOR THEIR APPROVAL SO THAT THE MAPS MAY BE DISTRIBUTED TO ADJOINING TOWNSHIPS AND REGULATORY AGENCIES FOR THEIR REVIEW AND COMMENT; PAXTON SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

With regard to the 40 acres on Mr. Flaska's property, Chairman Morgan inquired if it is a problem that nobody saw this until tonight's meeting. Cypher replied that this is not a problem and added that the change will be made before the maps are forwarded to the township board.

X. New Business

A. Election of officers

Chairman Morgan asked for a motion to keep the slate of officers the same for 2023. **LASKEY MOVED TO KEEP THE SLATE OF OFFICERS THE SAME FOR 2023; VANDERVLUCHT SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.** The 2023 officers will be:

Chairman – Steve Morgan  
Vice Chairman / ZBA Rep – Todd Yeomans  
Township Board Rep – Steve Yoder

B. Set Planning Commission Meetings Dates for 2023

Discussion ensued regarding the proposed PC meeting dates for 2023. Yoder noted that November 7, 2023 is Election Day but this should not pose a problem with the scheduled PC meeting. Yeomans stated that he will not be able to attend the July 5, 2023 meeting due to harvest time.

Chairman Morgan asked for a motion to approve the PC Meeting Schedule for 2023 with the correction made to Wednesday, July 5 2023. **YEOMANS MOVED TO APPROVE THE PC MEETING SCHEDULE FOR 2023 WITH THE CORRECTION MADE TO WEDNESDAY, JULY 5, 2023; PAXTON SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

The meeting schedule for 2023 is as follows:



Tuesday, January 3, 2023; 6:00 p.m.  
 Tuesday, February 7, 2023; 6:00 p.m.  
 Tuesday, March 7, 2023; 6:00 p.m.  
 Tuesday, April 4, 2023; 6:00 p.m.  
 Tuesday, May 2, 2023; 6:00 p.m.  
 Tuesday, June 6, 2023; 6:00 p.m.  
 Wednesday, July 5, 2023; 6:00 p.m.  
 Tuesday, August 1, 2023; 6:00 p.m.  
 Tuesday, September 5, 2023; 6:00 p.m.  
 Tuesday, October 3, 2023; 6:00 p.m.  
 Tuesday, November 7, 2023; 6:00 p.m.  
 Tuesday, December 5, 2023; 6:00 p.m.

#### XI. Unfinished Business

##### A. Status Update on Zoning Ordinance – Landscaping Review

Cypher noted that he previously addressed this matter earlier. He asked Yoder if this topic was on the agenda for the township board meeting on December 8, 2022; Yoder replied that he had not yet received his meeting packet so he is unsure. Cypher noted that the Future Land Use Maps had not yet been posted to the website for the PC's December 8, 2022 meeting.

##### B. Master Plan Rewrite – Review Centerville and Glen Arbor examples

Cypher stated that he previously sent the Centerville Master Plan and the Glen Arbor Master Plan for all PC members to review as examples that could be used by Solon Township. Yoder stated that he believes the format of the Centerville Master Plan fits Solon Township best but he likes the Glen Arbor maps, He stated that the Glen Arbor plan is self-explanatory and easy to read. Paxton asked if physical copies of the Master Plans are available. Cypher replied that he can obtain a hard copy but would need to charge a minimal fee. Chairman Morgan agreed that the Centerville Master Plan is more representative to Solon Township and added that the PC needs a starting point as well as something to follow as we begin to work on our Master Plan.

Cypher stated that he and Hubley-Patterson could begin to work on Chapter 1. For either the January or February meeting, staff will attempt to provide a general outline to the PC members for consideration.

Vandervlucht inquired if we need to do the 42-day letters with regard to the maps and indicate that we are working on the Master Plan. This information could be contained all in one letter.

Chairman Morgan asked for a motion to approve that Cypher and Hubley-Patterson will work on preparing an initial outline for the February 2023 PC meeting. **MORGAN MOVED TO APPROVE THAT CYPHER AND HUBLEY-PATTERSON WILL WORK ON PREAPRING AN INTIIAL OUTLINE FOR THE FEBRUARY 2023 PC MEETING; LASKEY SECONDED. ALL PRESENT IN FAVOR, MOTION CARRIED.**

Chairman Morgan inquired if we can work on things before the 42-day letters are sent out; Cypher replied, “Yes, this is what we have been doing”. He added that we have been compliant with the Michigan Planning Enabling Act.

XII. Other Items – none

XIII. ZA /Planning Commission Comment

Cypher thanked the PC members for their work on the maps.

XIV. Public Comment (three minutes per person unless extended by Chair)

Ms. Kozisek requested that the minutes from this evening’s meeting reflect that the PC members expressed some dissatisfaction with the maps despite the fact that these will now be forwarded to the township board for review.

Ms. Smith noted that, to her, a PUD refers to high density; she stated that high density housing is what is visible on Gray Road. Ms. Smith added that Cedar needs to preserve its rural character.

Ms. Janosik wanted to clarify her concerns. She noted that eight new hotels are being built in Traverse City. She added that businesses are struggling to find employees and she does not want to see business fail because they cannot obtain the necessary staff.

Mr. Smith stated commented that Yeomans asked an excellent question about the idea of PUDs and why this is a problem to some people; he noted that this creates the idea of high density housing. The first meeting where the maps were discussed was excellent but after that, the PC gave up their responsibility to an outside individual who has run the show. Mr. Smith added that when you give up your responsibility, you lose credibility. He stated that the township previously experienced a referendum because people were not being totally honest. He believes that it is a shame that the PC has given up their responsibility to someone else.

Mr. Flaska stated that, even with a difference of opinion, it is time to wrap things up. We agreed on something in order to move forward and it is now time to do so. He stated that we can pick parcels for high density housing and this can be done now. The idea of a “monster” coming in to build out Solon

Township has not happened in thirty years. Mr. Flaska believes that the PC is appropriately cleaning things up.

XV. Adjournment

There being no objection, Chairman Morgan adjourned the meeting at 7:32 p.m.

The next meeting is scheduled for Tuesday, January 3, 2023 at 6:00 p.m. at the Solon Township Hall. Based on the motion that was passed at the April meeting, future regular meetings will begin at 6:00 p.m.

Respectfully submitted,

Allison Hubley-Patterson, Recording Secretary

## APPENDIX A: SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY (NOVEMBER)

### SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: NOVEMBER 2022

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
11/25/2022	LUP 22-32	TARSA	LAND USE	202232	2318 \$ 40.00
010-021-031-00	4756 E. WHITE ROAD	ACCESSORY BUILDING - SMALL SHED		100 S.F.	

TOTAL \$ 40.00

SIGNED:

*Timothy A. Cypher*

DATE: 12/6/2022

TIMOTHY A. CYPHER  
SOLON TOWNSHIP ZONING ADMINISTRATOR  
231-360-2557  
[TIM@ALLPERMITS.COM](mailto:TIM@ALLPERMITS.COM)

Solon Township Board  
Regular Meeting  
Thursday, January 12, 2023 7:00 P.M  
Solon Township Hall  
9191 S. Kasson St., Cedar, MI 49621

MINUTES

**1. Call to Order**

**2. Pledge of Allegiance**

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present: Supervisor Jim Lautner, Clerk Shirley Mikowski, Trustee Steve Yoder and Trustee Pat Deering.

Board member via zoom: Treasurer Joan Gauthier.

Guests present: Raymond Pleva, Corey Flaska, Kevin Gillespie, Ryan Blanck, Charlie Smith, Karen Smith, Judy Janosik, Kim Smith, Jackie Baase, Mary Taylor, Kelly Claar and Tim Cypher/ZA.

**3. Approval of Agenda**

Motion by Shirley Mikowski and seconded by Steve Yoder to approve the agenda as presented. Motion carried 4-0.

**4. Approval of Minutes**

Motion by Steve Yoder and seconded by Pat Deering to approve the December 8, 2022 regular meeting minutes as written. Motion carried 4-0.

**5. Public Comment**

Corey Flaska is hoping the township board will approve to move forward with the proposed Master Plan Future Land Use maps. The Planning Commission has been very thorough and has been working very hard on these for the past several years. This is the future of growth in Solon Township

Kevin Gillespie has lived in the township since 1993. He shared his concerns about a wellness resort on Timberlee property being proposed in Elmwood Township. This would greatly affect where his property is because they are trying to access Timberlee by cutting a road on a neighboring property owned by Gordon Forsyth.

Ryan Blanck said he moved from Nashville to get away from development and the ramifications. He is also concerned about the proposed resort, because it was originally described to him as a Nature Center.

Jim Lautner said the township can't say anything unless they are approached and we can't tell Elmwood Township what to do.

Tim Cypher/ZA said he has been following this, but no one has come to Solon Township at this point. Elmwood Township cannot approve a project of this nature if there is a wing that comes into this township.

**6. Correspondence**

There was none.

**7. Treasurer's Report/Authorization for Payment of Vouchers:**

Shirley Mikowski thanked Deering's Tree Service for reducing their bill. Pat Deering reported they took down, removed and cleaned up the trees and anything else that may have been hazardous at the crossroads of Nelson and Columbus Street. Huntington Bank Checking \$121,920.98, ARPA Funds included in checking: \$116,581.12, Available in Checking Account: \$5,339.86, Huntington Bank General Savings \$127,940.93, Total Funds Available: \$133,280.79, Huntington Bank Road Improvement Fund \$10,344.50, Huntington Bank Fire Fund CD \$42,721.65,

Huntington Bank Fire Fund Savings \$37,684.48, Total Fire Sinking \$80,406.13, Huntington Bank Sidewalk Fund \$13,285.55, Huntington Bank Cedar River Marina Project \$24,263.68, Total other Township Funds Available: \$128,299.86. Total Current Assets: \$261,580.65, Parks and Recreation \$9,465.10. Voucher #'s 14807-14846 were submitted for payment. Motion by Shirley Mikowski and seconded by Pat Deering to accept the Treasurer's report and pay vouchers as presented. Motion carried 4-0.

## **8. Committee Reports:**

The Planning Commission January meeting was cancelled so there was no report.

Kelly Claar reported the Parks and Recreation Committee met on Tuesday, December 27, 2022 at 6:00 P.M. There were four members present.

- Kelly Claar and Mary Taylor are co-chairs and Grace Yoder is secretary. The Parks Committee is looking for more members.
- There is one member that has not replied after email requests and the committee has decided to request his removal from the committee if there is no response by March.
- The Parks have raised \$9,465.10 to date.
- A recreation program schedule is available on their Facebook page.
- Still working on a plan to use the remaining \$2,300.00 from GTB Grant for an informational sign near the river.
- They have partnered with the Cedar Chamber of Commerce to sponsor a movie night on February 18<sup>th</sup>. The Committee is requesting \$300.00 to pay for the rights to show the movie. They will be providing refreshments for a donation. The movie is free to attend.
- Mary Taylor is working on applying for the Spark Grant, but before she can apply, there is a need for more public input. The committee would like to hire Fleis&Vandenbrink for the three public meetings. The cost would be \$6,340.00.
- They are concerned with the adult ball league and their responsibility. Shirley Mikowski will talk to Jackie Budd.
- The Chamber's zero turn mower is down and possibly unable to repair. The Parks Committee recommends hiring a service company to mow the ballfields.
- The Public Forum for the parks is scheduled for Thursday, January 19, 2023 at 6:00 P.M. Kelly encouraged everyone to attend and snacks will be provided.
- The next meeting will be held on Tuesday, January 31, 2023 at 6:00 P.M. at the Solon Township Hall.

Motion by Shirley Mikowski and seconded by Steve Yoder to authorize the Parks Committee to spend up to \$300.00 for movie night. Motion carried 4-0.

Corey Flaska donated \$100.00 towards movie night.

Jim Lautner said to hire Fleis&Vandenbrink can be added to the February Agenda. Mary Taylor said if we don't hire someone then she doesn't know who is going to facilitate the forum. Mary asked if it is okay if Brian Rowley comes to the forum free of charge. Jim said it is okay for him to attend.

**Zoning Administrator Written Report is attached.**

## **9. Unfinished Business**

### **A. Township Hall/Repairs**

There was no report.

### **B. Parks**

#### **1. Recycling Site**

Ray Pleva reported that he has been working with Trudy Galla, Mark Polinko, Tim Cypher/ZA, Chet Janik, Ty Wessel, the Fire Department and the Leelanau County Road Commission to move the recycling to Bunting's Cedar Market. A special meeting was called by the Leelanau County Board of Commissioners on January 10, 2023 at 8:30 A.M. to take potential action for a new Five Year Recycling Agreement with Bunting's Cedar Market. The Board of

Commissioners approved the agreement. A permit application has been completed and a \$150.00 check has been sent to Tim Cypher/ZA. A temporary permit has been issued to relocate the recycling bins to Bunting's. The Planning Commission will need to formally approve this permit at their February 7, 2023 meeting. The bins are being moved on Friday, January 13 at 1:00 P.M. and there will be a ribbon cutting ceremony. Mr. Pleva asked that one of the township board members be present for this and invited Mr. Cypher to attend. Mr. Pleva thanked the township for keeping the recycling site opened until the agreement was finalized and the bins moved. The township board thanked Ray for all of his time and energy in this.

## **2. Mower**

Jim Lautner said he had Dale Gauthier look into a new zero turn mower for the township. Mr. Gauthier received a quote for a John Deere Z930M with 60-inch side discharge mowing deck, suspension seat, and pneumatic air tires. The reduced government price is only good until tonight, January 12, 2023 if they receive our purchase order. The retail price is \$12,184.00 and the price quoted is \$9,625.36; a savings of \$2,558.64. The ARPA Funds can be used to purchase this. Joan Gauthier added that this is a commercial mower and for the last two years we have had the responsibility of the ballfields. It is important for the township to have their own equipment. Motion by Shirley Mikowski and seconded by Pat Deering to approve to purchase a John Deere Z930M ZTrak with a Fully Adjustable Suspension Seat with Armrests (24" High Back) mower for the total cost of \$9,625.36 to be paid for with ARPA Funds. Motion carried 4-0.

## **3. Solon Beach Park Road and Fence**

Tim Cypher/ZA said that Mr. and Mrs. Birchmeier were issued a permit in 2021 to build their home. Mr. and Mrs. Birchmeier and SL Ketko Custom Builder are aware they need to restore the damage their big trucks and equipment did to the Solon Beach Park Road.

Joan Gauthier said that Mr. and Mrs. Garb purchased Becky Kabat's place and will be fixing the fence in the spring.

## **C. Fire Department**

### **1. Roof**

Jim Lautner said Centerville Township approved their half of the \$60,000.00 for the roof on the fire department. They are trying to line up a contractor to put on a new roof.

### **2. Hiring**

There was no report.

## **D. Cedar River Project**

### **1. Buoys**

Ray Pleva gave a report (see attached).

Mr. Pleva asked what the township plans to do with the fence by the river. Jim Lautner said the county may want to use the fence at Bunting's. Mr. Pleva also asked about the maintenance of the road behind Bunting's. Jim will check with the Leelanau County Road Commission.

## **E. Zoning Ordinance/Master Plan/Future Land Use Maps/Recording Secretary**

### **Master Plan/Future Land Use Maps**

Tim Cypher/ZA explained that the Planning Commission has been working for years on potential future growth in the township especially the past 6-8 months. There are presently four rezoning requests held in abeyance because the Master Plan does not support those locations. The Planning Commission approved to forward the Future Land Use Maps to the township board at their December 12, 2022 meeting. Board approval is needed to send the maps out to the county and surrounding townships for their review. Mr. Cypher went over the five maps, five districts: the greater Cedar Area, the Four Corners (with the new stoplight at the end of M-72), Solon Road and M-72, Allgaier Road and M-72 and the PUD (Planned Unit Development) Districts. With the greater Cedar area, they tried to give more flexibility. The owner of the Wild Juniper Nursery bought the Northeast corner of the four corners and the preexisting farm implement dealership owned by Norconk's had already established a commercial nature. The Solon Road and M-72 is where Grumpy's is located and it only made sense to establish commercial in that area. Pat

Deering asked if there had been consideration to make it commercial all along M-72. The residents did not support that. They wanted it limited and the rural character kept intact. Allgaier Road and M-72 was selected because it is right next to the Robinson area. The PUD's Districts have been reduced with the northern part of the township requiring ½ acre minimum density and the southern part requiring 1 acre minimum density. The map promotes PUD's next to commercial use. Pat asked how the decisions were made in determining the maps. Mr. Cypher said they tried to follow the property lines. There is presently a lot of spot zoning on the current maps and this is the first time in fifteen years that the maps have been updated. Anyone can request a zoning change, but the Master Plan has to support it. Pat said he was under the impression that once the maps were approved the properties would be locked in. This is not a final approval; the motion is to have the maps forwarded to all the parties that need to review them. Steve Yoder said that nothing is official, the maps are just being sent out to be reviewed and a 42 day review is required. Motion by Shirley Mikowski and seconded by Pat Deering to approve to have the Future Land Use maps forwarded for review and comments based on and consistent with the Michigan Planning and Enabling Act requirements. Motion carried 4-0.

The Future Land Use maps can be viewed at [www.leelanau.gov/solontwp.asp](http://www.leelanau.gov/solontwp.asp).

Tim Cypher wanted to publicly thank Rob Herman from the Leelanau County Equalization Department who does a great job on the maps.

### **Recording Secretary**

There was a concern in the amount of the Planning Commission Recording Secretary's invoice was for the month of December. In the past Michelle Wilkes was a member of the Planning Commission and Recording Secretary and was paid \$100.00 per meeting with no other charges. Tim Cypher/ZA explained that she had been given additional duties and there can be additional duties of the recording secretary. Shirley Mikowski explained this was not about the budget, the recording secretary or Mr. Cypher. The board was not informed of these changes and the first duty of the board is to safeguard the assets of the township.

### **F. Drainage District**

Jim Lautner said he just received notification that a Day of Review has been scheduled for Thursday, January 19, 2023 from 9:00 A.M. – 5:00 P.M. to be held at the Leelanau County Government Center. Solon Township's estimated total assessment is \$77,400.00 with an estimated annual assessment of \$3,870.00 over 20 years for 24 land owners (see attached).

### **G. Boat Wash Station/Cedar River**

There was no report.

### **H. Grant Options/Mary Taylor**

Mary Taylor explained that there are many grant opportunities coming up and how important it is to have Fleis&Vandenbrink to assist with the public meetings. They will attend and facilitate three public forums, collect the information, identify the park projects, provide preliminary estimates for construction and necessary ongoing maintenance costs for \$6,340.00 (see attached proposal). The Parks Committee has raised almost \$10,000.00 and Mary asked if that money could be used to pay for the professional fees. Kelly Claar wants to have Fleis&Vandenbrink involved so the township can put their best professional foot forward. We can't continue putting a band-aid on the parks; they need to be renewed and restored. The money was raised for the township to be used for the parks.

Joan Gauthier shared her concerns on all the negative comments about the parks and asked where the information went from the survey that was sent out. Mary said the information was used in the Five-Year Park Plan that was submitted last year. Joan is also concerned that we keep spending money for collecting information but nothing has been done to update the parks. Joan asked if the board had to decide tonight on spending the \$6,340.00. Pat Deering asked if they are only going to gather information or will they help facilitate with the grants. They will help with the grants and put all costs together including any future maintenance. Mary asked if the board would approve at least \$2,000.00 for the first meeting. Motion by Shirley Mikowski and seconded by Jim Lautner to approve the Parks Committee spend up to \$2,000.00 on the Public Forum scheduled for Thursday January 19, 2023 to be paid from the Parks and Recreation Fund of \$9,465.10 . Motion carried 4-0.



**I. Nicole Corley/Downed Tree**

See under Treasurer's Report/Authorization for Payment of Vouchers.

Joan Gauthier informed the board that Dale Gauthier had John Hitt remove a tree from the cemetery and asked if the township would consider paying him for his time. Jim Lautner asked Joan to write up an invoice and present it at the next board meeting for approval.

**10. New Business:**

**A. Al Laskey**

Tim Cypher/ZA would like Al Laskey recognized for his many years of service by purchasing a certificate of appreciation that will be framed and signed by Supervisor Jim Lautner and Planning Chair Steve Morgan and a thank you card. Mr. Cypher will also be purchasing a gift certificate to Mr. Laskey's favorite restaurant. These will be presented at the Planning Commission February meeting and also at the Township Board meeting. Mr. Cypher will be sending a press release to the Leelanau Enterprise.

**11. Public Comment**

Karen Smith respectfully requested Mr. Flaska be reminded of the rules and to not be blurting out his comments and to wait until Public Comment. It seems that Mr. Flaska receives preferential treatment.

Kelly Claar shared her concerns of some of the areas of the Future Land Use maps. Tim Cypher/ZA asked Kelly to call him with her questions.

**12. Announcements**

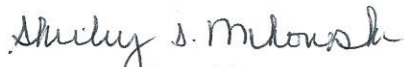
There were none.

**13. Adjournment**

Motion by Shirley Mikowski and seconded by Steve Yoder to adjourn the meeting. Motion carried 4-0.

The meeting was adjourned at 9:46 P.M.

Respectfully submitted,



Shirley I. Mikowski  
Solon Township Clerk

# SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: DECEMBER 2022

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
12/31/2022	LUP 22-33	JACOBSON	LAND USE	202233	287 \$ 100.00
010-032-005-40	13191 PARTRIDGE RUN	ACCESSORY BUILDING		720 S.F.	

TOTAL \$ 100.00

SIGNED:

*Timothy A. Cypher*

DATE: 1/8/2022

TIMOTHY A. CYPHER  
SOLON TOWNSHIP ZONING ADMINISTRATOR  
231-360-2557  
TIM@ALLPERMITS.COM

Our last grant proposal \$1,800,000.

- 1) Need to breakdown river project items and cost for smaller grants.
- 2) Lack of Park funding.
- 3) Most grants today need matching funds.
- 4) We need a grant writer for our community park

In 2021 the weeds, grasses and silt buildup at the mouth of Cedar River/Lake Leelanau, was something we never wanted to see and experience. We thought it was just a small issue to deal with to control the weeds & greases in the river channel. This issue is affecting the whole Solon Swamp and Cedar.

Heather Hettinger Fisheries DNR, try first to mark the river channel with buoys to help control the weeds, grasses and move silt out of area. The Leelanau Conservancy told DNR to deny our buoy permit.

The weeds, grasses & silt buildup in the mouth of Cedar River is telling us a lot more of what Mother Nature has been doing to our River, Creeks and Solon Swamp. Starting at the red bridge down the river waterway to the lake and back through the swamp to our community park and town of Cedar, has given us a higher water table to deal with.

What can we do to solve our weeds, grasses and silt build up that is creating high-water back to Cedar?

I contacted Frank Dituri Water Ecologist Grant Traverse County. Frank, set me up with Professor Anthony Kendell Michigan State University, Teaches Environmental Science, Research focused on regional-scale landscape hydrology, examining the terrestrial hydrologic cycle and biogeochemical cycles.

Comments from Professor Kendell after an hour phone meeting January 5, 2023

- The Leland Dam. (Controlling Lake Leelanau water level and flow of Cedar River and swamp)
- Test river water for (Nigerian and Phosphorus).
- Develop a Water Shed Management Plan.
- Mouth of Cedar River/Lake Leelanau solution options 1) Dredged 2) Weed killer 3) Use buoys to mark channel.
- **Build strong community support** for saving our **Beautiful Cedar River, Starting at our RED BRIDGE**
- Moral support from Anthony Kendell Professor (MSU)
- Invited Anthony Kendell to visit Cedar in the Spring/Summer. He enjoyed our river videos.
- Leelanau County Commissioner Kama Ross from Centerville Twp. wants to help with river issues.

**Cedar needs a Sewers-system now.**

Fleis & Vanderbrink has the boat pressure wash system on their drawing to be located in the river recycling area. When the recycling is moved, it will work out well for boat pressure wash system.

Thanks, Ray Pleva  
Co-Chair Cedar River Waterway & Park

From: **Brian Rowley** browley@fveng.com  
Subject: estimate - meeting facilitator Solon Township  
Date: January 12, 2023 at 4:36 PM  
To: Mary Taylor marebeth1129@gmail.com  
Cc: Matthew J. Biolette mbiolette@fveng.com

Mary,

I worked on drafting a budget to provide services as you requested. I would like to plan for (3) in-person meetings with the public and stakeholders, we would help walk through the public input, visioning and action steps to identify park projects and elements that are highest priority. We would be providing preliminary estimates for construction and necessary ongoing maintenance costs. We will also be preparing and utilizing presentation materials to spark conversation and engagement of the public, some of which the committee has seen from the park and rec plan update we previously completed. Ultimately with this information the Township will be presented a realistic estimate for bringing a specific park project to fruition. We would be staffing the meetings with myself and Matt Biolette from our Grand Rapids office. Matt has the meeting facilitator experience and expertise (see attached bio). I have the park and rec background and history with Solon Township, so I know we will be a great team!

I believe we discussed meeting at 6:00 pm of the 3<sup>rd</sup> Thursday, each of the next 3 months, but we can be flexible if needed. I have estimated our fee to be \$6,340.

If you have any questions, do not hesitate to contact me. If the Council agrees, I will draft a proposal to further describe the scope and schedule of work proposed.

Thank you, we look forward to continuing our work with Solon Township!

**Brian D. Rowley, PE**  
Regional Manager | Associate

**FLEIS & VANDENBRINK**

603 Bay Street, First Floor | Traverse City | MI | 49684  
O: 231.932.8600 | D: 231.642.3188 | C: 231.499.7572 | F: 231.932.8700  
[www.fveng.com](http://www.fveng.com)

**FVCPM**  
CERTIFIED PROJECT MANAGER

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LEELANAU COUNTY DRAIN COMMISSIONER

Steve Christensen

8527 E. Government Center Dr., Suite #205

Suttons Bay, Michigan 49682

(231)-256-9783

[schristensen@leelanau.gov](mailto:schristensen@leelanau.gov)

PARCEL NUMBER

SOLON TWP. AT-LARGE

YEARS OF ASSESSMENT

20

ESTIMATED  
APPORTIONMENT %

9.00%

ESTIMATED  
ANNUAL  
ASSESSMENT

\$3,870.00

ESTIMATED TOTAL ASSESSMENT

\$77,400.00

JAMES LAUTNER - SOLON TWP.

SUPERVISOR

12708 S. SOLON RD.

CEDAR, MI 49621

**THIS IS NOT A BILL**

*\*Estimated assessment amounts are principal only and do not include interest charges*

## LAKE BLUFFS DRAIN

### NOTICE DAY OF REVIEW OF DRAINAGE DISTRICT BOUNDARIES AND DAY OF REVIEW OF APPORTIONMENTS

**DATE:** Thursday, January 19, 2023  
**TIME:** 9:00 a.m. - 5:00 p.m.  
**LOCATION:** Lower-Level Community Meeting Room  
Leelanau County Government Center  
8527 E. Government Center Drive  
Suttons Bay, Michigan 49682  
**QUESTIONS:** (231) 256-9783

At the Day of Review, the Drain Commissioner shall consider proofs and allegations and shall (1) carefully reconsider and review the description of land comprised within the drainage district (2) carefully reconsider and review the apportionment of benefits; and (3) define and equalize the apportionment as is just and equitable. The Computation of Costs will also be available at the Day of Review. Drain assessments are collected in the same manner as property taxes and will appear on your winter tax bill (December 2023). Since the total drain assessment is being collected for multiple years, you may pay the assessment in full with any interest to date at any time to avoid further interest charges.

Comments on the apportionment of benefits may be submitted to the Drain Commissioner in writing before the Day of Review at the Office of the Leelanau County Drain Commissioner, 8527 E. Government Center Dr., Suite #205, Suttons Bay, Michigan 49682 or by emailing the Drain Commissioner, Steve Christensen at [schristensen@leelanau.gov](mailto:schristensen@leelanau.gov), or comments may be received in writing or verbally at the Day of Review. Comments submitted in advance must be received by the Drain Commissioner prior to the Day of Review to ensure consideration. Leelanau County and Solon Township are to be assessed at-large.

Additional information, including a more detailed map of the Drainage District Boundary and the Notice of Letting (containing information on the construction and specifications for the drain and conditions upon which the contract will be awarded) can be found on the project website for the Lake Bluffs Drain District at: <https://www.leelanau.gov/lcdcdlb.asp>

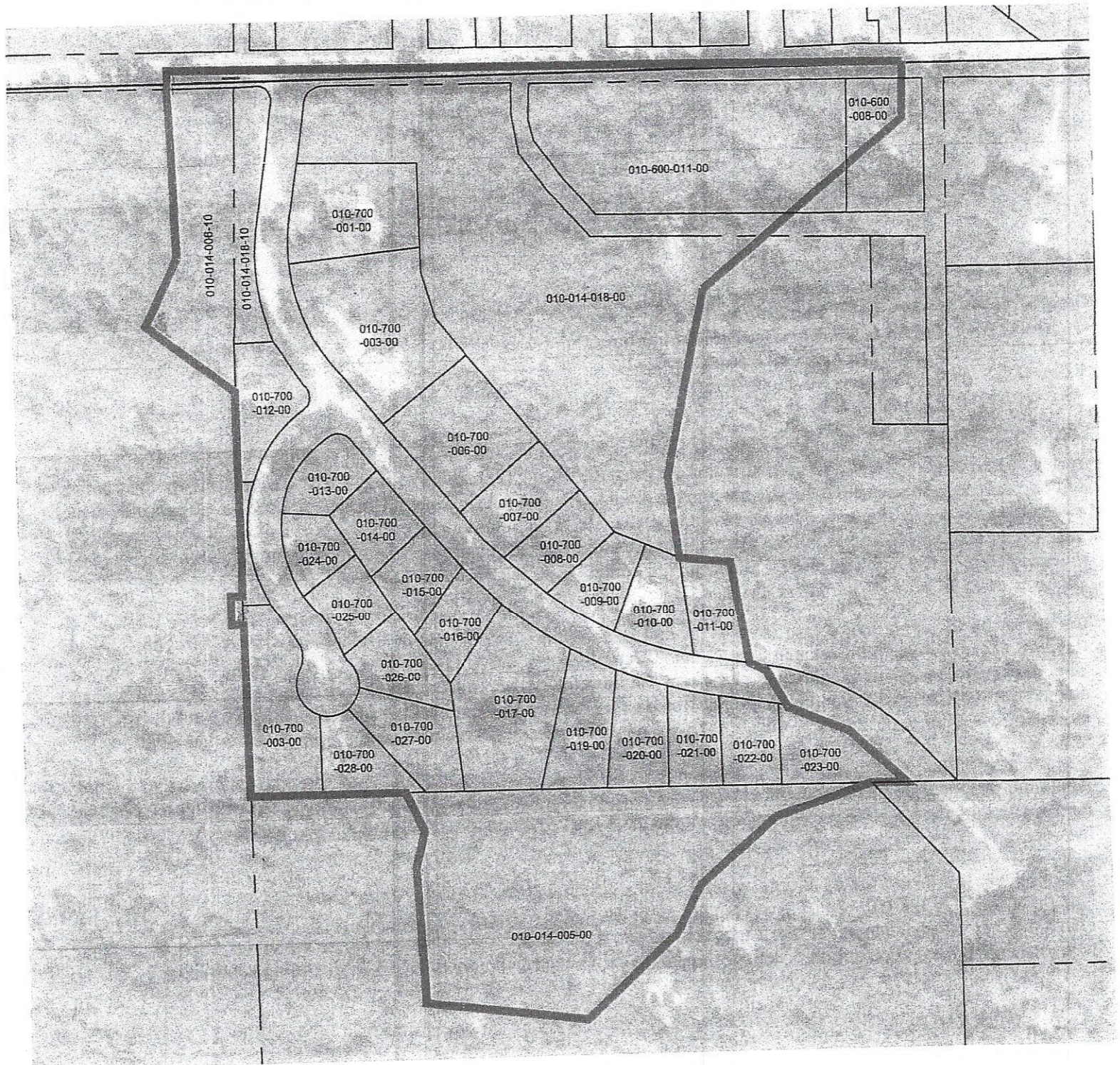
Persons with disabilities needing accommodations for effective participation in the Day of Review should contact the Drain Commissioner's Office at the number noted above (voice) or through the Michigan Relay Center at 7-1-1 (TDD) at least 24 hours in advance of the Day of Review to request mobility, visual, hearing or other assistance. You may appeal the Drain Commissioner's decision to revise the district boundary to the Leelanau County Circuit Court within ten (10) days, and you may also appeal the determination of apportionments to the Leelanau County Probate Court within ten (10) days.

Dated: January 9, 2023

Steve Christensen  
Leelanau County Drain Commissioner

# LAKE BLUFFS DRAIN DRAINAGE DISTRICT

SECTION 14, SOLON TOWNSHIP, T28N, R12W,  
LEELANAU COUNTY, MICHIGAN



**REZONING REQUEST**  
**PC05-2023-11 Sutton Bay Township**  
**Rezoning Request Agricultural to**  
**Residential**

**Reviewing Entity:** Leelanau County Planning Commission  
**Date of Review:** March 28-2023  
**Date Request Received:** March 8, 2023  
**Last Day of Review Period:** April 7, 2023 (30-day review period under the Michigan Zoning Enabling Act)  
**Requested Action:** Review and comment on a rezoning request in Suttons Bay Township for approximately 2.854 acres from Agricultural to Residential.

**Applicant/Owner:** Gloria Korson  
166 N. Stoney Pt. Rd.

A copy of the application is included in the Appendix.

**Existing Land Use:** Vacant.  
**Adjacent Land Use and Zoning<sup>1</sup>**

<b>NORTH</b>	Land Use:	Single family homes
	Zoning:	Residential
<b>SOUTH</b>	Land Use:	Vacant
	Zoning:	Agriculture
<b>EAST</b>	Land Use:	Single family homes
	Zoning:	Residential
<b>WEST</b>	Land Use:	Single family homes and Vacant
	Zoning:	Residential and Agriculture

**Property Description:**

The subject property is approximately 2.854 acres and part of property tax number 45-011-023-002-00 which is approximately 12 acres (total) in size according to county records and located on the south side of E. Lovers LN. Section 23, Town 30 North, Range 11 West, Suttons Bay Township.

**Significant Elements of the Master Plan:**

**The Suttons Bay Township Joint Master Plan** (2011) Future Land Use Map calls for Rural Residential and either Working Lands or Commercial Forest in this area. The colors on the map for Working Lands and Commercial Forest appear to be an identical light green.

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<sup>1</sup> 2021 Spring Aerials, Land Use Data, and Suttons Bay Township Maps.

The Plan states the following:

III. Goals, page 21, states “Uncontrolled growth into agricultural land also presents serious problems. Once agricultural land is developed, it is highly unlikely that it will ever be farmed again.”

**Leelanau General Plan:** The Leelanau General Plan (2019) Future land Use Map 5-2a designates some of this area as orchards and vineyards. Community Types, Map 5-3a designates this area as Settlement.

**Relevant Sections of the Zoning Ordinance:**

Current Zoning District – Link to the Township Zoning Ordinance at:

<https://www.leelanau.gov/suttonsbaytwpor.asp>

**OTHER AGENCY INPUT**

**Township Planning Commission:**

A public hearing was held on March 7, 2023 at which time most of the public comments made were opposed to the rezoning. In addition, several of the surrounding neighbors submitted their disapproval of the rezoning request in writing. Following the public hearing, the planning commission unanimously passed the following motion:

*Dee McClure/moved, Rhoda Johnson/supported, to recommend to the Suttons Bay Township Board denial of the application for rezoning of 2.854 acres as described in the application from Agricultural to Residential submitted by Gloria Korson. This recommendation is based upon application, Findings of Fact, rezoning factors, and public comment. Roll call vote: Yes: 5. No: 3 Absent and excused: 1. Motion carried.*

**HISTORY:**

Previous action taken on this property included 71 acres entered in the Farmland and Open Space Preservation Agreement in 1988, per Act 116, PA 1974, and a rezoning request of 70 acres from Ag to Residential in 1997, which was denied. The subject property is no longer under the PA 116 Contract.

In June of 2010, a request was presented to the township to rezone approximately 2.24 acres from Agricultural to Residential (part of property number 45-011-023-011-00, and 45-011-023-002-00), to allow the owner to divide the property into two (2) parcels. The request was reviewed by the township planning commission and county planning commission, and then approved by the Township Board in July of 2010.

The rezoning of 2.24 acres in 2010 was approved for 2 residential lots, which also allowed an access to the farm property from Lover’s Lane. However, this access was changed from what the property owners submitted to the township with the rezoning request in 2010. The change resulted in the western portion of the property shifting and creating a zoning ‘void’, according to the township. In 2014, Gloria Korson received approval for a Land Division for the east lot. The west lot could not be approved because it was not entirely zoned residential. In 2014, Gloria Korson requested to rezone 85.52’ on the west side in order to make the 2<sup>nd</sup> proposed lot comply with zoning and correct an error that was made in the boundaries following the 2010 rezoning.



**STAFF ANALYSIS AND FINDINGS**

**Would rezoning be consistent with other zones and land uses in the area?** According to the Suttons Bay Township Zoning Map, parcels directly north and east of this parcel are zoned Residential as well as parcels further west.

**Would rezoning be consistent with development in the area?** Yes, there is residential development to the north, east and west of the proposed parcel.

**Will the proposed use be consistent with both the policies and uses proposed for the area in the Suttons Bay Community Joint Master Plan?** Yes.

**Are uses in the existing zone reasonable?** Yes.

**Do current regulations leave the applicant without economically beneficial or productive options?** No. The applicant can use the property as currently zoned.

**STAFF COMMENTS**

Suttons Bay Township received an application from the owner, Gloria Korson, to rezone her property located south of E. Lovers LN. from Agriculture to Residential. There were no voluntary conditions included with the application.

The attached application and report from the township spell out the reasons the applicant has requested rezoning, and includes the Findings of Fact from the township planning commission.

It is important when reviewing rezoning requests to look at the current uses, the uses allowed in the proposed zoning district, the Master Plan (noted above), and the surrounding uses and zoning districts.

The Current Agricultural District allows the following, Permitted Uses:

**SECTION 4.2 USES PERMITTED BY RIGHT**

- A. One single family detached dwelling per lot
- B. Farming, including but not limited to dairying, raising grain, mint, and seed crops, raising vegetables, orchards, silviculture, raising nuts and berries, floriculture, raising ornamental trees, shrubs, and nurse stock, greenhouses, sod farming, apiculture, and aquaculture.
- C. Family day care homes
- D. Wildlife management areas
- E. Adult foster care family care homes
- F. Veterinary clinics

Zoning Amendment 14-002 permits the following in the Agricultural District:

- Duplex on parcels two acres (or larger)
- Up to five duplexes on one parcel given certain conditions are met.
- Multi-family housing (3 or more dwelling units per building) given certain conditions are met.

The Proposed Residential District allows the following Permitted Uses:  
**SECTION 5.2 USES PERMITTED BY RIGHT**

One-Family detached or semi-detached dwellings.  
Churches, Temples.  
Recreation Facilities of non-commercial nature.  
Adult Foster Care Family Care Homes.  
Accessory Uses or Structures.

**The Suttons Bay Zoning Ordinance, Article 4, Agricultural District, Section 4.1 INTENT states:**  
The intent of the Agricultural District is to encourage and maintain agriculture as part of a balanced and diversified economy, and to protect viable farmland from encroachment by other uses. It is also intended to provide a low-density rural atmosphere which will accommodate the growing demand for residential development, while still protecting scenic and ecologically sensitive areas which make Suttons Bay Township attractive both to home ownership and to the tourism so important to Leelanau County. Large minimum frontage requirements are designed: to permit larger side setbacks to protect adjacent farmland, to discourage the long narrow lots which extend wastefully into agricultural land and which are used to get around platting and lot area requirements, and to avoid frequent driveway cuts which pose safety hazards and reduce the carrying capacity of public roads. Lot sizes will be large enough to provide for individual wells and septic systems.  
Certain recreational uses are also appropriate in the Agricultural District. Recreational trails, day camps, conservation clubs, and county and/or township parks are uses that, in certain areas, could be compatible with the character of the district.

Parcel 45-011-023-002-00 is approximately 12-acres in total and under the current Agricultural zoning, a 2-acre minimum lot size is required for development. The adjoining parcel owned by the applicant, Parcel 45-011-023-011-04, is approximately 44 acres in size and is also in the Agricultural zoning district.

The proposed parcel division the applicant submitted shows two lot splits, both under two acres. The Residential Zoning District requires a 1-acre minimum lot size for development which would allow the applicant to make two splits from the proposed 2.85 acres being requested for rezoning. It is important to review the area the applicant is requesting for rezoning, and not the proposed divisions or the proposed access. If this rezoning is approved, the applicant will need to submit a land division request to the township and also obtain the appropriate approvals for any access.

The motion passed by the township planning commission included that the recommendation was based on ‘...*public comment*’. Below is an excerpt from Michigan zoning, Planning, and Land Use, Chapter 11, Dos and Don’ts:

**Dos and Don’ts for the Municipal Lawyer:**

**11.2 The following is a list (partial list from Chapter 11) of suggestions for practitioners representing municipal entities in land use matters:**

- As much as possible, make sure your community does not react to public sentiment. If public sentiment is a factor, you may need to explore resident positions for validity and accuracy – in other words, get to the facts underlying public opinion. Decisions based on political pressure or motivation become more difficult to support. Although neighbors may object to proposed developments, make sure your municipality attempts to base its land use decisions on the real issues and the valid facts presented.
- Make sure your municipality supports its decision by fully articulating the reasons for the decision on the record. Its decisions should be based on the standards contained in the ordinance

## NEW BUSINESS ITEM B

for review of the application. Keep detailed minutes of information presented during the public meetings, as the basis of the decision rendered must be found in the official record.

The Township should base its decision on the zoning ordinance regulations as well as the Master Plan, and the land use and development in the area proposed for rezoning. The minutes of the Public Hearing also include comments from the public on the information in the application, and neighbors not expecting development on this ag land when they purchased their property. An applicant has the right to propose a portion of their property be considered for rezoning, and the right to come back in the future to make further requests. Purchasing a piece of property next to ag land, or next to any district, does not mean the property will stay in that zoning district forever. There are many things that can alter the zoning of a property such as: land is sold and a new use is proposed, different owners have different ideas for the property, or the master plan and zoning ordinance get amended. If you don't own the land, you can't guarantee that it will never be proposed for a change in zoning and/or use. In some cases, opposition to many of the uses allowed in the proposed new zoning district would suggest that a 'conditional rezoning' might be an option. With a conditional rezoning, the applicant has to offer the conditions and the township makes the determination if they will accept the conditions and approve the rezoning, or not accept. As an example, if there were opposition to several uses allowed in a commercial district and the applicant only wanted to do an ice cream store, the applicant could 'offer' the condition that the rezoning be approved with only the allowable use of an ice cream store on the property. If approved by the township, that is the only use the owner would have for that property. However, in this rezoning case, it appears that opposition of the neighbors was not based on the residential use the applicant was proposing, but on the fact that the zoning would no longer be agricultural.

The township needs to review the request on consistency with the master plan, surrounding zoning, and land uses, and appropriateness of the district. As currently zoned, the applicant could do 2-acre splits in the agricultural district for residential development. If the applicant is requesting a smaller lots size, is it to preserve as much of the agricultural land as possible?

**Appendix**

**Submittal from Suttons Bay Township**

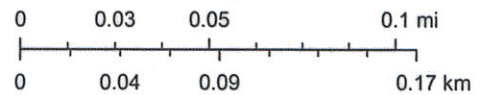
# Leelanau Parcel Viewer



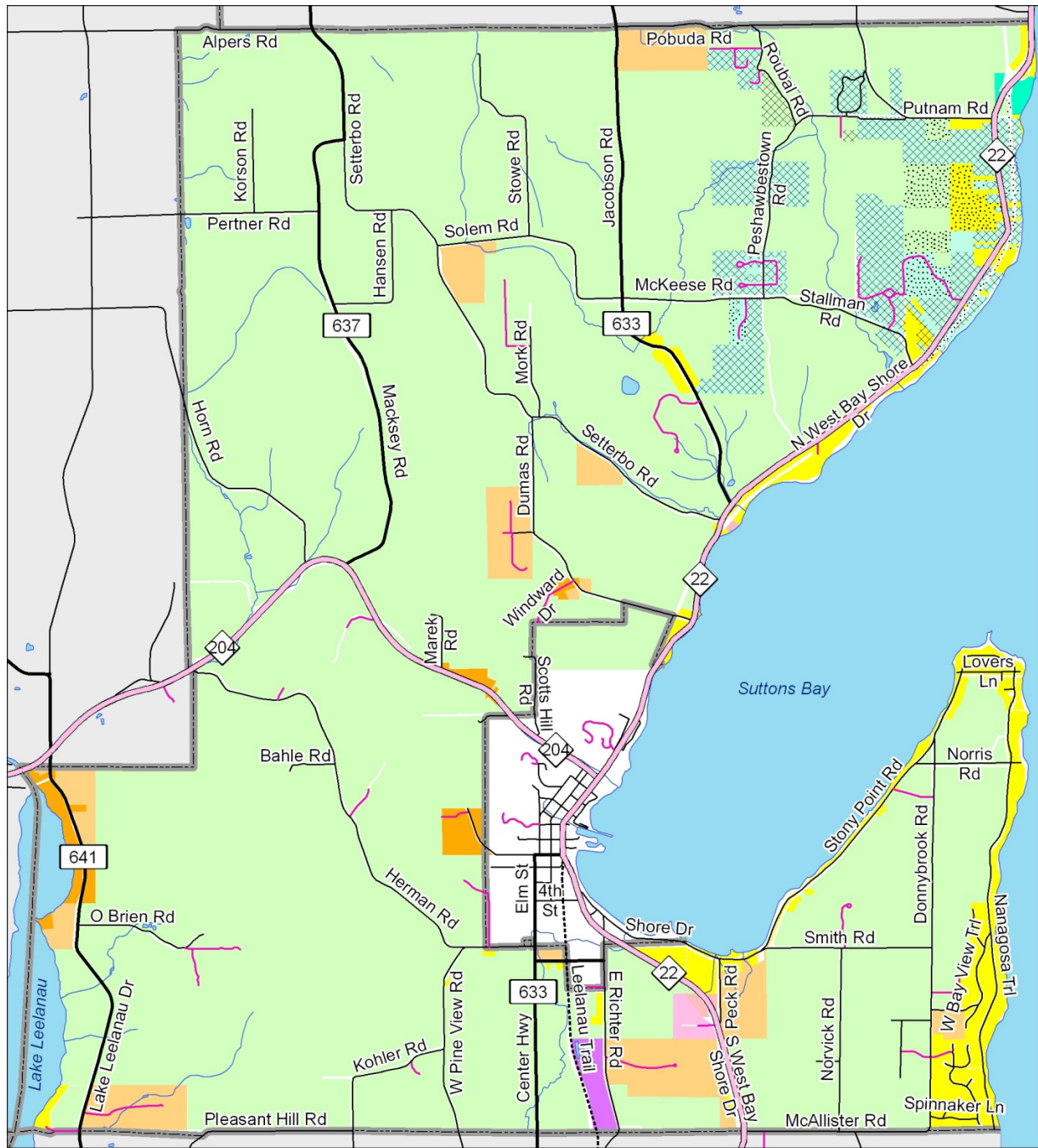
3/22/2023, 3:57:03 PM

1:4,514

- Subdivisions & Condos
- Government Lots
- Tax Parcels
- Municipalities
- Sections
- Roads
- Override 1



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Esri Community Maps Contributors, GTC Equalization/GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, Page 53 of 98



**Current Zoning**

- A-1 - Agricultural
- C - Commercial
- I - Industrial
- OLA - Agricultural Overlay
- OLR - Residential Overlay
- R-1 - Residential
- TL - Federal Trust Lands
- TP - Township Park
- W - Waste Management

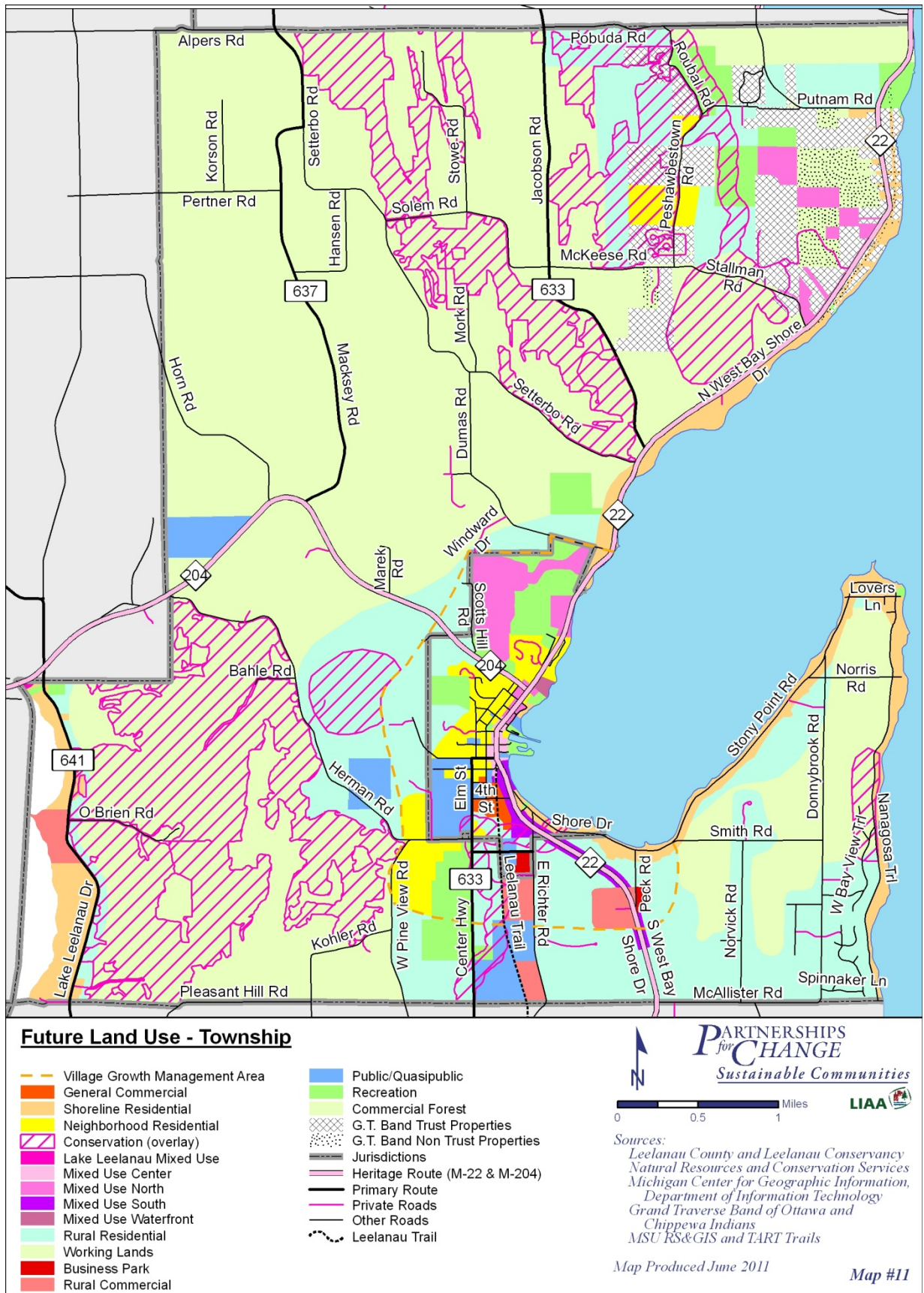
- G.T. Band Trust Properties
- G.T. Band Non Trust Properties
- Jurisdictions
- Heritage Route (M-22 & M-204)
- Primary Route
- Private Roads
- Other Roads
- Leelanau Trail
- Lakes
- Streams



Sources:  
 Leelanau County  
 Michigan Center for Geographic Information,  
 Department of Information Technology  
 Suttons Bay Township  
 Map Produced June 2011

Map #13

This map is used for general planning purposes only. The map layers are compiled from a variety of sources and should not be used for site specific decision making. No liability is assumed for the accuracy of the data delineated herein either expressed or implied.



This map is used for general planning purposes only. The map layers are compiled from a variety of sources and should not be used for site specific decision making. No liability is assumed for the accuracy of the data delineated herein either expressed or implied.

**Gail Myer**

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**From:** Trudy Galla  
**Sent:** Thursday, March 9, 2023 10:01 AM  
**To:** Gail Myer  
**Subject:** FW: Suttons Bay Township Rezoning  
**Attachments:** Rezoning Application and Maps.pdf; 2023-03-07 Staff Reports.pdf  
  
**Expires:** Tuesday, September 5, 2023 12:00 AM

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**From:** Steve Patmore <zoningadmin@suttonsbaytwp.com>  
**Sent:** Wednesday, March 8, 2023 10:21 AM  
**To:** Trudy Galla <tgalla@leelanau.gov>  
**Cc:** Tom Nixon <tommaryn@charter.net>; clerk@suttonsbaytwp.com  
**Subject:** Suttons Bay Township Rezoning

Hi Trudy,

Last night, the Suttons Bay Township Planning Commission had a Public Hearing on an Application for Rezoning submitted by Gloria Korson for property near Lover's Lane.

After the Public Hearing and deliberations, the PC, by a 5 to 3 vote, recommended that the township board deny the Application.

This Application and recommendation still needs to be reviewed by the County Planning Commission – is that your understanding as well?

Attached are:

- Application and Vicinity Maps
- Staff Reports

I will receive draft Minutes next week – and will forward them to you.

I am working on a Decision document – which will be forwarded to you as well.

Please let me know if you have any questions.

Steve



# KORSON REZONING APPLICATION

SUTTONS BAY TOWNSHIP PLANNING COMMISSION  
 MARCH 7, 2023

## PUBLIC HEARING - APPLICATION TO REZONE PROPERTY FROM AGRICULTURAL TO RESIDENTIAL

Applicant/Owner: **Gloria Korson**

Subject Property: **Property No: Part of 45-011-023-002-00 and Part of 45-011-023-011-04**  
**Address: No addresses assigned.**  
**Legal Description is listed in Application packet.**

Existing Zoning: **Agricultural**

Request: **Rezone 2.854 acres of the subject parcel from Agricultural Zoning District to Residential Zoning District.**

### Process:

- A rezoning is a Zoning Map Amendment to the Official Zoning Ordinance, and is covered in the Michigan Zoning Enabling Act and the Suttons Bay Township Zoning Ordinance.
- The Planning Commission reviews applications for Map and Text Amendments, conducts a Public Hearing, and makes a recommendation to the Township Board.
- By statute, the recommendation is also reviewed by the County Planning Commission.
- The Township Board then considers the formal amendment to the zoning ordinance.
- The Michigan Statute provides for the voluntary offering of conditions for a rezoning by an applicant. These must be voluntary and must be submitted in writing. ***There are no voluntary conditions included with this application.***

### Background:

- The Planning Commission is only reviewing the rezoning of the overall described 2.854 Acres.
- The Planning Commission is not reviewing the parcels shown on the Land Survey (Parcel A and Parcel B) or the Private Road. Any future division of this land would be reviewed by the Land Division Committee (Assessor, Supervisor, Zoning Administrator)
- Approval of the rezoning does not infer or imply that the parcels shown on the survey would be approved by Suttons Bay Township, and does not infer or imply that the parcels are buildable.
- However, under current zoning, the rezoning would allow a one acre density compared to the two-acre density of the current Agricultural District.

- If the overall Suttons Bay Township Zoning Map is changed in the future, as is being discussed by the Planning Commission, that revised zoning map would supersede this zoning action.

**Schedule:**

- Application received on January 18, 2023.
- Introduction was held on February 7, 2023.
- A Public Hearing has been published for March 7, 2023.

**Previous Activity on Parent Parcels:**

- Suttons Bay Township approved a rezoning of 2.24 acres on Lovers Lane from Agricultural to Residential to allow for two parcels on Lover’s Lane.
- Subsequently a Land Division was approved for two lots.
- In 2014, the township approved the rezoning of an additional 0.637 acres of adjacent land from Agricultural to Residential to allow one of the two previous lots to be shifted to the West.
- In 2017, the township approved the rezoning of an additional 0.344 acres of land adjacent to one of the two lots (parcel 45-011-023-011-02) from Agricultural to Residential, to enlarge this lot and expand the buildable area.
- This 0.344 acres was added to 45-011-023-011-02 as a boundary line adjustment.
- The subject property proposed for rezoning in this Application is adjacent to the land that was rezoned in 2010 and 2017.

**Attachments:**

- Application, Survey, and Legal Descriptions.
- Vicinity Map prepared by Staff.

**Master Plan:**

The 2011 Master Plan Future Land Use Map (page 56 – Map #11) lists the general area of the subject property as on the borderline between Shoreline Residential, Rural Residential, & Working Lands.

**General Findings of Fact:**

1. The subject property is part of property numbers 45-011-023-011-04 and 45-011-023-002-00 with the legal description as filed with the Township.
2. The subject property is currently zoned Agricultural.
3. The subject property is currently vacant.
4. According to the Application, the subject property contains 2.854 acres.
5. According to Township records, the Master Parcel / Parent Parcel contains a total of approximately 56 acres.
6. According to Township record, the subject parcels are owned by Gloria I. Korson.
7. Gloria Korson submitted an application to re-zone the subject property from Agricultural to Residential.
8. Properties Adjacent to subject property:

North:	Zoned: Residential	Use: Residential/Subdivided
West:	Zoned: Residential	Use: Residential
East:	Zoned Residential	Use: Residential/Subdivided
South/SW:	Zoned: Agricultural	Use: Vacant/Agricultural

**Rezoning Factors:**

Factors that should be considered by the Planning Commission and Township Board include, but are not limited to, the following: (Note: these are considerations – not all of these factors are required to be met to approve or deny the application)

- A. The proposed rezoning is consistent with the surrounding uses.
- B. There is no adverse physical impact on the surrounding properties.
- C. There is no adverse effect on property values in the adjacent area.
- D. There have been changes in land use or other conditions in the immediate area or in the community which justify the rezoning.
- E. Rezoning will not create a deterrent to the improvement or development of the adjacent properties in accordance with existing regulations.
- F. Rezoning will not grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public.
- G. There are substantial reasons why the property cannot be used in accordance with its present zoning classification.
- H. The rezoning is not in conflict with the planned use for the property as reflected in the master plan.
- I. If rezoned, the site will be served by adequate public facilities.
- J. There are no sites nearby that are already properly zoned and that can be used for the intended purposes.

***Motion to approve (as presented/as amended) the General Findings of Fact dated March 7, 2023 on the proposed Application submitted by Gloria Korson to re-zone 2.854 acres from Agricultural to Residential on Lovers Lane.***

***Motion to approve the Rezoning Factors as discussed tonight on the proposed Application submitted by Gloria Korson to re-zone 2.854 acres from Agricultural to Residential on Lovers Lane.***

***Motion to recommend to the Suttons Bay Township Board (approval / denial) of the Application for rezoning of 2.854 acres as described in the Application from Agricultural to Residential submitted by Gloria Korson. This recommendation is based upon the Application, Findings of Fact, Rezoning Factors, and Public Comment.***

# KORSON REZONING APPLICATION

SUTTONS BAY TOWNSHIP PLANNING COMMISSION  
MARCH 7, 2023

## **SUPPLEMENT TO STAFF REPORT**

Steve Patmore, Zoning Administrator

Request: **Rezone 2.854 acres of the subject parcel from  
Agricultural Zoning District to Residential Zoning District.**

### **1. How many “splits” are allowed on the property?**

I was asked by the Planning Commission to find out how many “splits” are left on the Korson property. I researched the Land Division files and found the following:

- The Parent Tract, as defined in the Michigan Land Division Act, consisted of two parcels totaling approximately 63 acres.
- According to our records, there are four (4) remaining Divisions from the Parent Tract after previous divisions were made.
- It should be noted that the Michigan Land Division Act also contains provisions for Redivisions after ten years.

It should be noted that this answer applies to metes and bounds divisions, and that there are other methods to convey land, including condominiums and subdivisions, which are not limited to the divisions noted above.

As mentioned in the original report, the Planning Commission is not being asked to review lot layouts or private roads.

It should also be noted that the current Application for rezoning includes only 2.854 acres of the Parent Tract. That is what the PC is reviewing, not the remaining property.

### **2. Written Public Comment**

Attached is written public comment received at this time.

February 28, 2023

Members of the Suttons Bay Township Planning Commission:

I am not in favor of granting the request to rezone 2.85 acres from agricultural to residential (parcel no. 45-011-023-002-00) for the following reasons:

\*The change of zoning would result in higher density housing that would increase traffic, impacting the safety of bikers and walkers on an already busy road.

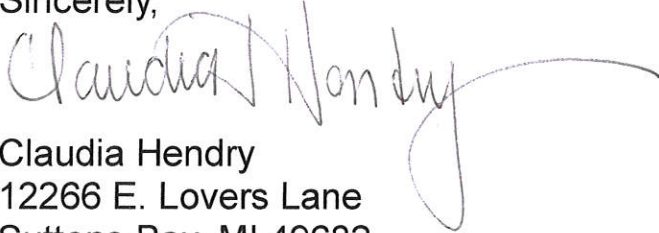
\*I bought my property because it bordered agricultural land. Losing farmland changes the character of the neighborhood and could negatively impact property values causing undue hardship for my neighbors and me.

\*I have concerns over the quality of the road presently under development adjacent to my property (water runoff, dust, mud). Are regulations and requirements being followed for development of this road?

\*I have questions regarding the master plan and the possibility of requests for future zoning changes on the remaining Korson property. Is there a site plan?

Thank you for your consideration of my concerns.

Sincerely,



Claudia Hendry  
12266 E. Lovers Lane  
Suttons Bay, MI 49682  
hendrycj@gmail.com  
616-915-8100



**From:** Jerry Hjelle <jhjelle@hjelleadvisors.com>  
**Sent:** Saturday, March 4, 2023 2:52 PM  
**To:** zoningadmin@suttonsbaytwp.com; Jerry Hjelle  
**Subject:** Rezoning Request of Gloria Korson for Parcel No 45-011-023-002-00

To: Suttons Bay Township Planning Commission

Thank you for the opportunity to provide input regarding the rezoning of the 2.85 acres off of Lovers Lane in the North Stoney Point area of Suttons Bay Township. My wife and I own 274 N Stoney Point, in close proximity to the subject proposed rezoning and directly adjacent to the main property owned by Gloria Korson. We write to suggest that the Planning Commission deny the rezoning request.

Based on conversations with Gloria (two), it is our understanding that she intends to develop a large part of her current land, with development planned in a stepwise manner as she obtains funding. So, we view the requested small project off Lovers Lane as a step toward this larger goal. We have read the limited available information regarding this small development and have sufficient concerns both regarding the **precedence** it may set for the eventual development of the entire property AND the **adverse effects** of inadequate road, septic, well and water run-off without proper planning. If Gloria and her partnered developer of these parcels could share their plans with the Planning Commission to ensure that building density and possible adverse effects are addressed, then we could better understand impacts and support this specific rezoning request and potentially the envisioned larger project.

We love Stoney Point and appreciate Gloria's position. However, we have serious concerns that without proper planning and oversight, that the approval of this specific rezoning request will create a precedence. We hope that the Planning Commission has been consulted regarding roads, septic, wells and water run-off for this specific project. Finally, we have general concerns regarding the degree of planning and professional qualifications of the development partners. We understand that Commission members are very busy people, and that it is not your role to solve development project engineering issues. However, it would be a great comfort to us to know that the Planning Commission, working together with the developers, can ensure that responsible plans for the development of Stoney Point are developed and implemented.

We sincerely thank you for your service.

Respectfully,

Jerry and Joan Hjelle  
274 N Stoney Point Rd  
joanhjelle@gmail.com  
jhjelle@hjelleadvisors.com



RESPONSE TO ITEM 2  
SUTTONS BAY TOWNSHIP PLANNING COMMISSION  
TUESDAY MARCH 7, 2023

Regarding Gloria Korson's request to rezone 2.85 acres from agricultural to residential:

We are adjacent property owners and object to approval without additional documentation. We are asking to see a 5-year plan for the property that addresses when development will be completed and how the development is in accordance with the township's master plan for development.

The current submission to the board lacks transparency. The request is for rezoning two parcels (1.72 and 1/13 acres) for a total of 2.85 acres. The road permit issued 12/4/22 is for *multiuse residential, between 5-14 lots, to be inspected upon completion*. We do not know when completion is anticipated nor, in typical cart before the horse manner, do we know why a road permit was issued on an agricultural designation before the zoning change to residential was approved. When will the planning commission see the site plan for the remaining lots?

Ms. Korson's representative, Eric Sawbitz, who represents himself as her contractor to township officials and provides expert opinion as such, does not hold a Michigan license as a licensed builder, residential contractor, electrician, plumber, or excavator. I would ask the board take advice of licensed professionals, not backyard hobbyists with inadequate equipment, staff and expertise to complete the job.

There is nothing neighbors or township officials can point to and say, "This is what you said you would do." Or "This is what you have approval to do." This project has no owner accountability. It is an unregulated development. It has not attempted to conform to a plan, nor will it unless the planning commission requires it. As neighbors, we have no reason to trust Ms. Korson's stewardship of her own land. She has multiple junk piles on her property, buries old television sets and chemical containers at whim, and has rotting lead ammunition boxes spilling into the roadway. She has an occupied accessory dwelling (rental apartments in a pole barn) on her property without corresponding well, septic, occupancy permits or inspections on file. She has open building code, health department and animal control complaints.

Ms. Korson has treated neither her neighbors nor her land well. She has a history of ignoring zoning and code requests and her lack of transparency with tonight's request confirms an intent to continue to ignore zoning. The board does not have adequate information to approve the rezoning request at this time and we ask for an initial denial.

Respectfully Submitted,

  
Gardner and Bridget Klaasen  
12274 E Lovers Lane  
Suttons Bay, MI 49682  
231-620-7243 [gardnerklaasen@yahoo.com](mailto:gardnerklaasen@yahoo.com) [bridgetklaasen@yahoo.com](mailto:bridgetklaasen@yahoo.com)



# RACHEL & JEREMY PEPLINSKI

465 N Lover's Lane Court, Suttons Bay, MI 49682 | (231) 271-4008 | rlaven77@hotmail.com

3/12/2023

Suttons Bay Township Board  
PO Box 457  
Suttons Bay, MI 49682



## Suttons Bay Township Board:

This letter is in regard to Gloria Korson's 1/18/2023 application to rezone a 2.854 acre portion of property tax numbers 40-011-023-002-00 and 045-023-011-04 from agricultural to residential, on Stony Point in Suttons Bay. This application to rezone was a focus in the SB Twp Planning Commission meeting, held on March 7, 2023. Ultimately the board voted 5-3 (with one member absent) to deny the rezone application after a public hearing with multiple neighbors present, some who voiced concerns and opinions.

I understand the next step of this process is that your board will have the final vote to either approve or deny this rezoning application. As such, I would like to share some insight into this situation on Stony Point.

My husband and I live adjacent to the parcel in question and we are in support of it being rezoned to residential. We built our home on parcel 011-625-014-00 in 2001 and we love living on quiet Stony Point. In fact, we are seeking to purchase part of this parcel from Gloria Korson if it is rezoned because it's Eastern side touches our lot line. A couple of our neighbors spoke up about keeping the agricultural zoning in place so that homes cannot be built on this land. We seek to accomplish the *same thing* by purchasing it so that it can remain a land buffer. I'd like to plant an organic vegetable garden and have space for our future grandkids to play. We aren't interested in building on it which we did articulate during the public hearing.

In 2010, parcel 011-023-011-03 (Lover's Lane) was rezoned from AG to residential. In 2014, parcel 011-023-011-02 (Lover's Lane) was rezoned from AG to residential. Both of these parcels were part of the same mother property that Gloria Korson is currently seeking to rezone (30N11W23). Both of the homeowners from those two properties were present at the March 7 Planning Commission meeting and both were opposed to this rezone, ironically.



I think it is important to note that two of the SB Twp Planning Commission board members live on Stony Point. Based on their comments during the meeting continually opposing this rezone and one in particular drawing negative attention to Gloria Korson's personal home property, I wonder if they should have recused themselves from the vote due to conflict of interest. My intention is not to cause trouble but it bears mentioning that these two members did not appear unbiased in their decision.

After the board voted and opened the floor again for public comment, one member stated that many of the "no" votes were because this rezone application was not submitted with conditions. When asked to elaborate what those conditions might be, he indicated that if Gloria Korson would clean up "some of the junk" on her personal home property, the votes could have been in her favor. At that point, it was very clear that some decision-making was not based on A – J factors in the Article 25.2 Rezoning Ordinance, but rather a desire to coerce and leverage the situation for reasons completely unrelated. Specifically, this goes against D in section 25.3.2 of the same document.

Lastly, another board member made valid points about how fruitless it would be to keep this small parcel zoned as agricultural land. As a person with substantial farming experience, they stated that it could not possibly be farmed due to spacial restrictions. Additionally, chemicals used in farming would runoff into lower residential lots which are present on three sides. As such, it makes more practical sense to rezone this parcel to residential land according to Factor G in Section 25.2 of the Rezoning Ordinance.

Please consider the above information in your formal decision. Thank you sincerely for taking time to read this letter. Leelanau County has been my home since 1990 and my husband was born and raised here. We've owned a business in downtown Suttons Bay since 2003 and have a vested interest in keeping the essence of this area true to its history. That allure is the very reason that locals cherish this area and visitors arrange their whole schedules to spend time vacationing here. We value the processes that our community has in place to keep Leelanau County friendly, fair and accountable.







Sincerely,

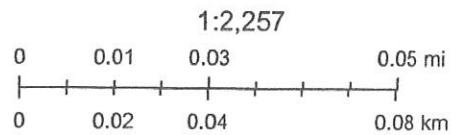
**Rachel Peplinski**

# Leelanau Parcel Viewer



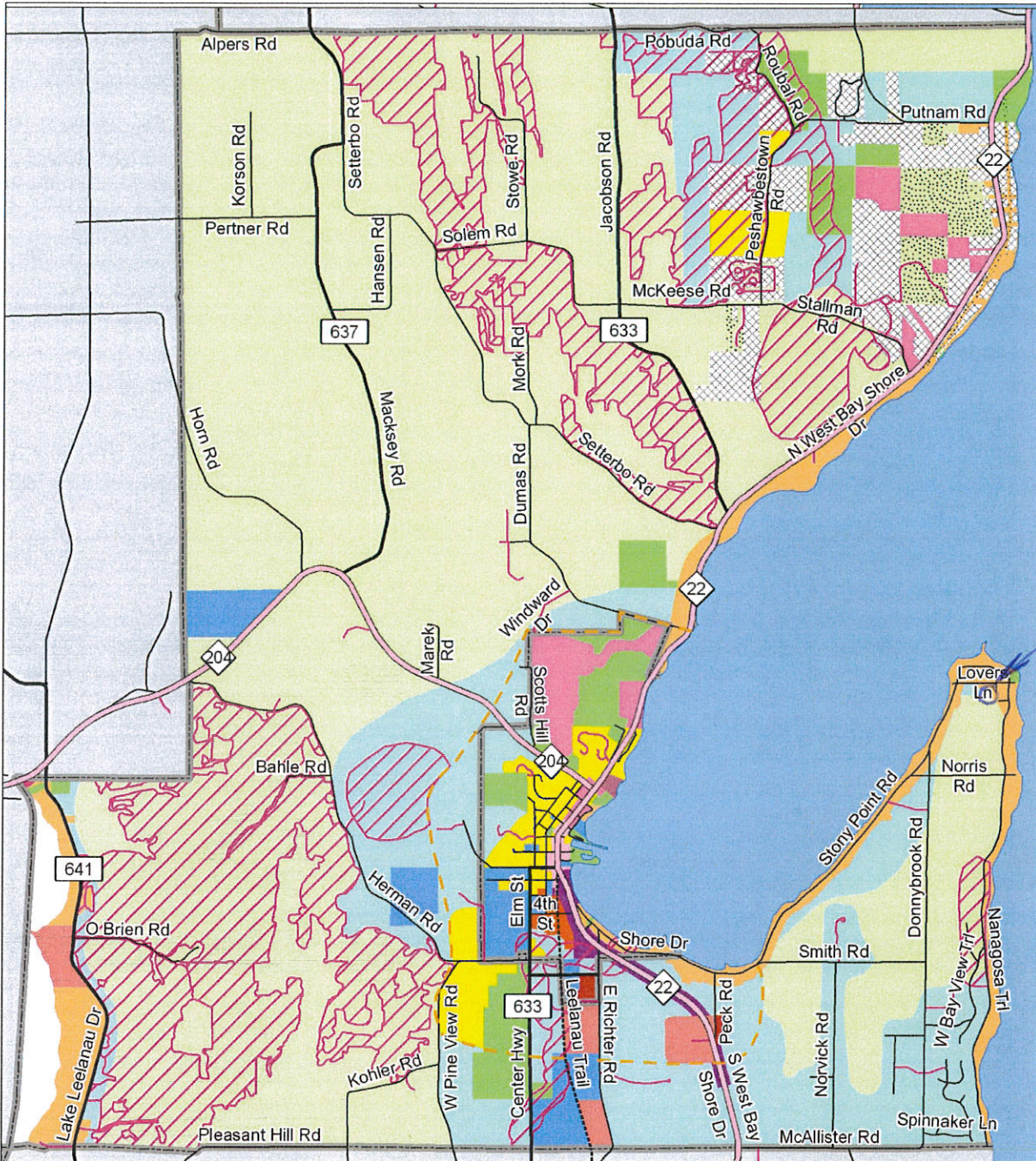
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-  Roads
-  Municipalities
-  Sections
-  Subdivisions & Condos
-  Government Lots
-  Tax Parcels



*SWP 1/30/23*

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**Future Land Use - Township**

- |                                |                                |
|--------------------------------|--------------------------------|
| Village Growth Management Area | Public/Quasipublic             |
| General Commercial             | Recreation                     |
| Shoreline Residential          | Commercial Forest              |
| Neighborhood Residential       | G.T. Band Trust Properties     |
| Conservation (overlay)         | G.T. Band Non Trust Properties |
| Lake Leelanau Mixed Use        | Jurisdictions                  |
| Mixed Use Center               | Heritage Route (M-22 & M-204)  |
| Mixed Use North                | Primary Route                  |
| Mixed Use South                | Private Roads                  |
| Mixed Use Waterfront           | Other Roads                    |
| Rural Residential              | Leelanau Trail                 |
| Working Lands                  |                                |
| Business Park                  |                                |
| Rural Commercial               |                                |

**Partnerships for Change**  
Sustainable Communities

LIAA

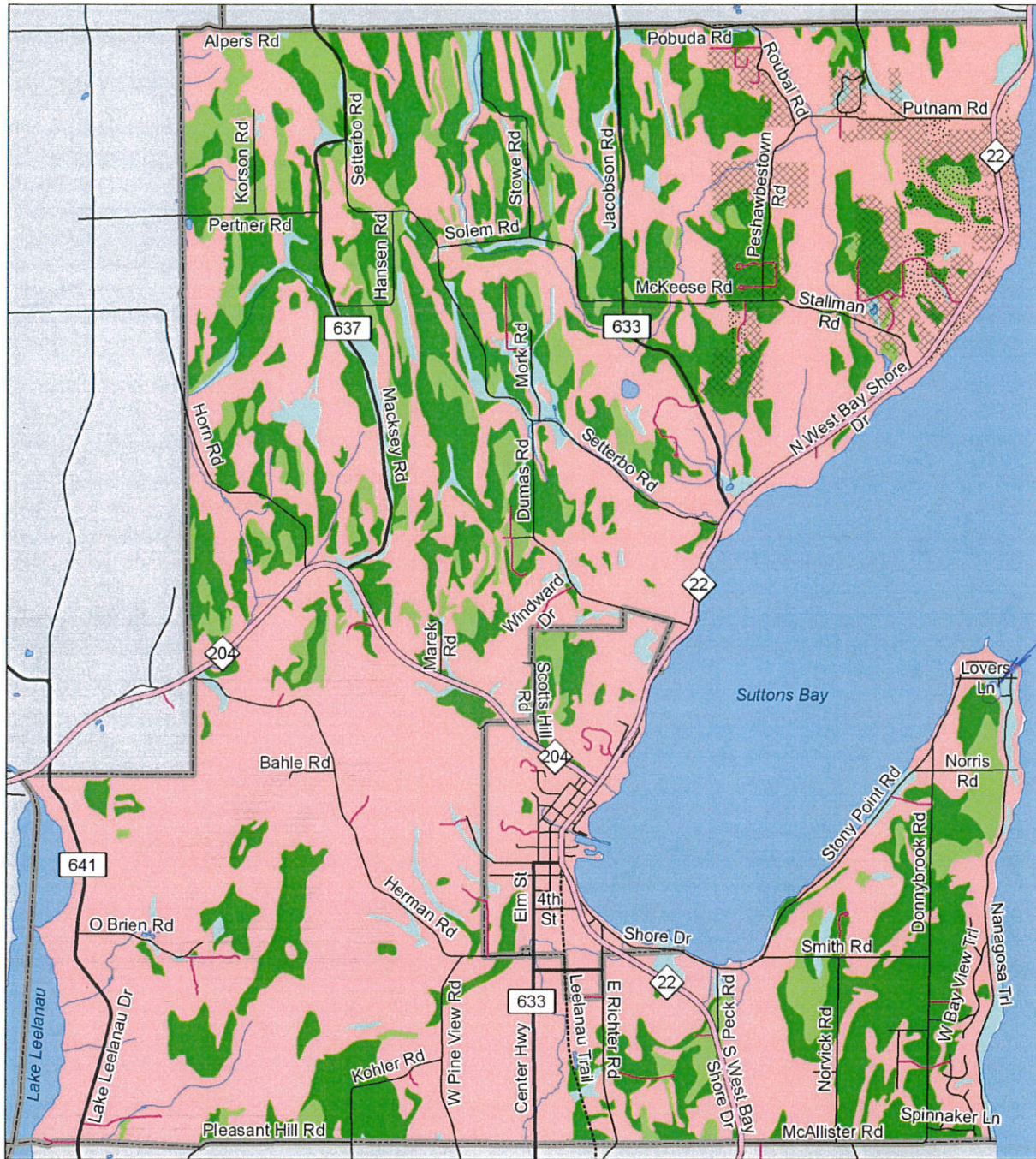
0 0.5 1 Miles

Sources:  
Leelanau County and Leelanau Conservancy  
Natural Resources and Conservation Services  
Michigan Center for Geographic Information,  
Department of Information Technology  
Grand Traverse Band of Ottawa and  
Chippewa Indians  
MSU RS&GIS and TART Trails

Map Produced June 2011 Map #11

This map is used for general planning purposes only. The map layers are compiled from a variety of sources and should not be used for site specific decision making. No liability is assumed for the accuracy of the data delineated herein either expressed or implied.

EXCERPT FROM SBT MASTER PLAN  
Page 67 of 98  
FOR STAFF REPORT - SWP 3/7/2023



SUBJECT PROPERTY (KORSON)

**Prime Farmland**

- All areas are prime farmland
- Farmland of local importance
- Prime farmland if drained
- Not prime farmland

- G.T. Band Trust Properties
- G.T. Band Non Trust Properties
- Jurisdictions
- Heritage Route (M-22 & M-204)
- Primary Route
- Private Roads
- Other Roads
- Leelanau Trail
- Lakes
- Streams

**Partnerships for CHANGE**  
Sustainable Communities

**LIAA**

Sources:  
Leelanau County  
Michigan Center for Geographic Information,  
Department of Information Technology  
USDA - Natural Resources Conservation Service

Map Produced June 2011

Map #1

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EXCERPT FROM SB TWP MASTER PLAN  
Page 68 of 98  
FOR STAFF REPORT - 3/7/2023 SP



1 270 000 FEET

T. 30 N.

(Joins sheet 18)

R. 11 W.

(Joins inset)



1 255 000 FEET

T. 29 N.

(Joins sheet 24)

10

(Joins lower left)

EXCERPT FROM RED TART CHERRY INVENTORY - USDA

Supplement to STAFF REPORT - SUTTONS BAY TWP

3/7/2023 SP

Other features that may depress the rating are: areas needing random drainage; areas of nearly level land within dish-shaped terrain in which cold air is likely to stagnate; blockages that stop air movement; or small areas that are adversely affected because of very coarse or fine textured soil inclusions. Symbols are used to indicate these features on the map.

### RED

Areas colored red have a range from 170 to 220. The severe limitations are difficult to overcome by management. All limitations should be considered carefully before planning to plant these areas to red tart cherries.

Where small areas of this range occur within areas with fewer limitations, it may be feasible to consider corrective measures. One limiting factor of sufficient severity which cannot be corrected will suffice to rate a site between 170 - 220. Adverse characteristics are:

1. Low available water capacity.
2. Low natural fertility.
3. Moderately slow permeability.
4. Slopes that cause difficulty in efficient machinery operation.
5. Elevations near or at the principal spring freeze line with a probability of a freeze of 4 to 5 years in 10 years or extreme low temperature of 4 to 5 years in 10 years.
6. Major obstruction to air flow.

### UNCOLORED

Areas having a rating of 165 or below are uncolored on the map. The limitations are so severe that these areas are not considered as red tart cherry sites.

The principal limiting factors are:

1. Poorly drained soils.
2. Extremely droughty, infertile soils.
3. Slopes that are too steep for orchard equipment operation.
4. Large areas having little or no air drainage.
5. Location below the principal spring freeze line with a frequency of 6 or more of 10 years of spring freeze and the same probability of extreme low winter temperatures.
6. Areas subject to frequent occurrence of fog during blossom period.

SUTTONS BAY TOWNSHIP

APPLICATION FOR REZONING

OFFICE USE ONLY

DATE RECEIVED: 1/18/2023 FILE NUMBER:
DATE APPLICATION DETERMINED COMPLETE: 1/18/2023 FEE: 300 PAID
DATE(S) REVIEWED BY PLANNING COMMISSION: RECEIPT NO: #1096
DATE APPROVED:

Applicant Information:

Applicant: GLORIA KORSON
Address: 166 N Stony Pt Rd
Suttons Bay, MI 49682
Phone: 231-271-3816 cell 231-866-1580 Fax:

Applicant's Interest / Relationship in the property (circle one): OWNER PURCHASER AGENT

Owner (If other than the Applicant)

Name:
Address:

Authorized Agent or Representative:

Name:
Company:
Address:
Phone: Fax:

Location of Property:


Property (Tax) Number: 45-011-023-002-00 (PART OF)
Street Address of Parcel: N. STONY POINT RD (PER LEECLANAU COUNTY)
Current Zoning of Parcel: AGRICULTURAL
Proposed Zoning of Parcel: RESIDENTIAL

With Conditions Without Conditions

Acreage of Parcel: 2.854 ACRES OF PARCEL
Existing Structures on Parcel: NONE
Attach copy of Legal Description of Property or list here: (ATTACHED)

I certify that the above information is true and authorize officials of Suttons Bay Township to enter the property during the re-zoning process.

I also certify that I have the authority to make this request.

**Signature:** By:   
Name: GLORIA KARSON  
Title: DWARD

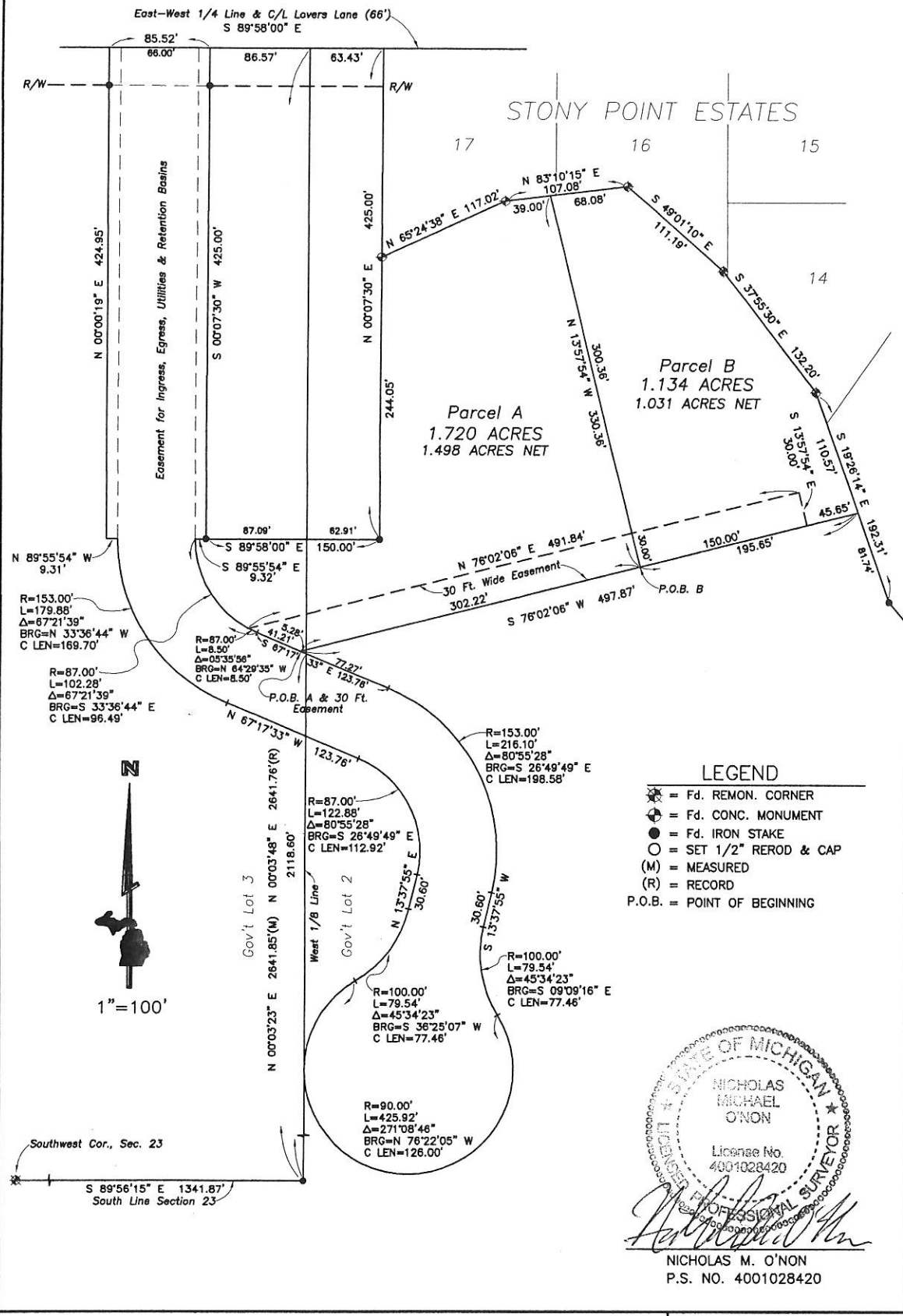
**Note:** If the Signatory is not the Owner of the subject property, then a letter of authorization from the Owner will be required.

**Attachments Required:**

- Legal Description of Property
- Application Fee –
- Owner's Authorization Letter (if applicable)



# PROPOSED PARCEL DIVISION



NICHOLAS M. O'NON  
 P.S. NO. 4001028420

PROPOSED PARCEL DIVISIONS IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3, SECTION 23, TOWN 30 NORTH, RANGE 11 WEST, SUTTONS BAY TOWNSHIP, LEELANAU COUNTY, MICHIGAN.

NICHOLAS M. O'NON  
 O'NON LAND SURVEYING  
 105 BROADWAY, P.O. BOX 277  
 SUTTONS BAY, MI 49682  
 (231) 271-3255  
 ononsurveying@gmail.com

CLIENT: Gloria Korson  
 166 N. Stony Point Road, Suttons Bay, MI 49682

FILE NO.: 2018046-23SB3011-RL      DATE: January 17, 2023

SHEET 1 OF 4

# PROPOSED PARCEL DIVISION

Parcel to be rezoned

Part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet for the Point of Beginning; thence continuing N67°17'33"W, along said right of way line, 41.21 feet; thence Northwesterly, along said right of way line and the arc of a 87.00 foot radius curve to the right, 102.28 feet (having a delta of 67°21'39" and long chord of N33°36'44"W, 96.49 feet); thence S89°55'54"E, 9.32 feet; thence S89°58'00"E, parallel with the East-West ¼ Line of said Section 23, 150.00 feet; thence N00°07'30"E, 244.05 feet to the Southwesterly Line of the Plat of Stony Point Estates (Liber 7 of Plats, Pages 26-28, Leelanau County Records); thence N65°24'38"E, along said plat line, 117.02 feet; thence N83°10'15"E, along said plat line, 107.08 feet; thence S49°01'10"E, along said plat line, 111.19 feet; thence S37°55'30"E, 132.20 feet; thence S19°26'14"E, along said plat line, 110.57 feet; thence S76°02'06"W, 497.87 feet to the Point of Beginning. The described parcel contains 2.854 acres of land.

Subject to and together with a non-exclusive easement for ingress, egress and the installation and maintenance of public and private utilities, over, across and under a 30.00 foot wide strip of land situated in part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, said strip being described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet for the Point of Beginning; thence continuing N67°17'33"W, along said right of way line, 41.21 feet; thence Northwesterly, along said right of way line and the arc of a 87.00 foot radius curve to the right, 8.50 feet (having a delta of 05°35'56" and chord of N64°29'35"W, 8.50 feet); thence N76°02'06"E, 491.84 feet; thence S13°57'54"E, 30.00 feet; thence S76°02'06"W, 452.22 feet to the Point of Beginning.

Subject to and together with other easements, restrictions and reservations of record, if any.

NICHOLAS M. O'NON  
P.S. NO. 4001028420

PROPOSED PARCEL DIVISIONS IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3, SECTION 23, TOWN 30 NORTH, RANGE 11 WEST, SUTTONS BAY TOWNSHIP, LEELANAU COUNTY, MICHIGAN.		NICHOLAS M. O'NON O'NON LAND SURVEYING 105 BROADWAY, P.O. BOX 277 SUTTONS BAY, MI 49682 (231) 271-3255 ononsurveying@gmail.com
CLIENT: Gloria Korson 166 N. Stony Point Road, Suttons Bay, MI 49682		
FILE NO.: 2018046-23SB3011-RL	DATE: January 17, 2023	SHEET 2 OF 4

# PROPOSED PARCEL DIVISION

Parcel A

Part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet for the Point of Beginning; thence continuing N67°17'33"W, along said right of way line, 41.21 feet; thence Northwesterly, along said right of way line and the arc of a 87.00 foot radius curve to the right, 102.28 feet (having a delta of 67°21'39" and long chord of N33°36'44"W, 96.49 feet); thence S89°55'54"E, 9.32 feet; thence S89°58'00"E, parallel with the East-West ¼ Line of said Section 23, 150.00 feet; thence N00°07'30"E, 244.05 feet to the Southwesterly Line of the Plat of Stony Point Estates (Liber 7 of Plats, Pages 26-28, Leelanau County Records); thence N65°24'38"E, along said plat line, 117.02 feet; thence N83°10'15"E, along said plat line, 39.00 feet; thence S13°57'54"E, 330.36 feet; thence S76°02'06"W, 302.22 feet to the Point of Beginning. The described parcel contains 1.720 acres of land and has a net area, per township definition, of 1.498 acres.

Subject to and together with a non-exclusive easement for ingress, egress and the installation and maintenance of public and private utilities, over, across and under a 30.00 foot wide strip of land situated in part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, said strip being described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet for the Point of Beginning; thence continuing N67°17'33"W, along said right of way line, 41.21 feet; thence Northwesterly, along said right of way line and the arc of a 87.00 foot radius curve to the right, 8.50 feet (having a delta of 05°35'56" and chord of N64°29'35"W, 8.50 feet); thence N76°02'06"E, 491.84 feet; thence S13°57'54"E, 30.00 feet; thence S76°02'06"W, 452.22 feet to the Point of Beginning.

Subject to and together with other easements, restrictions and reservations of record, if any.

NICHOLAS M. O'NON  
 P.S. NO. 4001028420

PROPOSED PARCEL DIVISIONS IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3, SECTION 23, TOWN 30 NORTH, RANGE 11 WEST, SUTTONS BAY TOWNSHIP, LEELANAU COUNTY, MICHIGAN.

NICHOLAS M. O'NON  
 O'NON LAND SURVEYING  
 105 BROADWAY, P.O. BOX 277  
 SUTTONS BAY, MI 49682  
 (231) 271-3255  
 ononsurveying@gmail.com

CLIENT: Gloria Korson  
 166 N. Stony Point Road, Suttons Bay, MI 49682

FILE NO.: 2018046-23SB3011-RL      DATE: January 17, 2023

SHEET 3 OF 4

# PROPOSED PARCEL DIVISION

Parcel B

Part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet; thence N76°02'06"E, 302.22 feet for the Point of Beginning; thence N13°57'54"W, 330.36 feet to the Southwesterly Line of the Plat of Stony Point Estates (Liber 7 of Plats, Pages 26-28, Leelanau County Records); thence N83°10'15"E, along said plat line, 68.08 feet; thence S49°01'10"E, along said plat line, 111.19 feet; thence S37°55'30"E, along said plat line, 132.20 feet; thence S19°26'14"E, along said plat line, 110.57 feet; thence S76°02'06"W, 195.65 feet to the Point of Beginning. The described parcel contains 1.134 acres of land and has a net area, per township definition, of 1.031 acres.

Together with a non-exclusive easement for ingress, egress and the installation and maintenance of public and private utilities, over, across and under a 30.00 foot wide strip of land situated in part of Government Lot 2 and part of Government Lot 3, Section 23, Town 30 North, Range 11 West, Suttons Bay Township, Leelanau County, Michigan, said strip being described more fully as follows: Commencing at the Southwest Corner of said Section 23; thence S89°56'15"E, along the South Line of said Section 23, 1341.87 feet to the West 1/8 Line of said Section 23; thence N00°03'23"E, along said west 1/8 line, 2118.60 feet to the Easterly right of way line of a 66.00 foot wide easement; thence N67°17'33"W, along said right of way line, 5.28 feet for the Point of Beginning; thence continuing N67°17'33"W, along said right of way line, 41.21 feet; thence Northwesterly, along said right of way line and the arc of a 87.00 foot radius curve to the right, 8.50 feet (having a delta of 05°35'56" and chord of N64°29'35"W, 8.50 feet); thence N76°02'06"E, 491.84 feet; thence S13°57'54"E, 30.00 feet; thence S76°02'06"W, 452.22 feet to the Point of Beginning.

Subject to and together with other easements, restrictions and reservations of record, if any.

NICHOLAS M. O'NON  
P.S. NO. 4001028420

PROPOSED PARCEL DIVISIONS IN PART OF GOVERNMENT LOT 2 AND PART OF GOVERNMENT LOT 3, SECTION 23, TOWN 30 NORTH, RANGE 11 WEST, SUTTONS BAY TOWNSHIP, LEELANAU COUNTY, MICHIGAN.

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ononsurveying@gmail.com

CLIENT: Gloria Korson  
166 N. Stony Point Road, Suttons Bay, MI 49682

FILE NO.: 2018046-23SB3011-RL

DATE: January 17, 2023

SHEET 4 OF 4

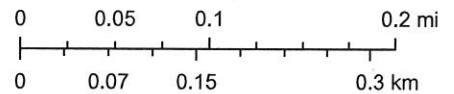
# Leelanau Parcel Viewer



1/30/2023, 10:11:27 AM

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- Override 1
- Roads
- Municipalities
- Sections
- Subdivisions & Condos
- Government Lots
- Tax Parcels









**SUP 1/30/23**

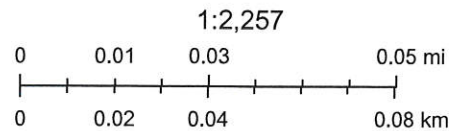
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# Leelanau Parcel Viewer



1/30/2023, 10:08:09 AM

-  Roads
-  Municipalities
-  Sections
-  Subdivisions & Condos
-  Government Lots
-  Tax Parcels



*SWP 1/30/23*

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**DRAFT MINUTES**  
**SUTTONS BAY TOWNSHIP PLANNING COMMISSION**  
**REGULAR MEETING**  
**MARCH 7, 2023**

The public may participate in person or by remote access through Zoom by computer or smart phone.

**Call to Order and Notation of Quorum**

Tom Koernke, Chair, called the Suttons Bay Township Planning Commission Meeting to order on Tuesday, March 7, 2023, at 6:00 p.m. at the Township Offices, 95 W. 4th St., Suttons Bay, MI.

Present: Tom Koernke, Dee McClure, Rhoda Johnson, Patti Miller, Doug Periard,  
Don Gregory, Andy Brandt, John Clark

Absent and excused: Dennis Rathnaw

Staff Steve Patmore, Mathew Cooke, Marge Johnson

Chair Koernke declared a quorum of the Planning Commission present.

**Approval of the Agenda**

***Doug Periard/moved, Andy Brandt/supported, to approve the Agenda as submitted, motion carried.***

**Public Comment**

Lois Bahle, 376 N. Lincoln, on Housing Action Committee, community needs 650 units of affordable housing.

Peter Leabo, 8210 E. Duck Lake Rd., Suttons Bay, said the community is in favor of affordable housing in the master plan.

**Conflict of Interest - None.**

**Approval of Minutes - February 7, 2023 Meeting Minutes**

***Don Gregory/moved, Dee McClure/supported, to table approval of the February 7, 2023 Meeting Minutes .***

***Discussion - Clarify January Minutes re appointment of Tom Koernke as Chair.***

***Corrections to the Minutes stated by Rhoda Johnson. Motion carried.***

**Items of Discussion/Consideration:**

1. Public Hearing and Consideration of an Application of Richard & Michele Baldwin for re-approval of the Special Use Permit for multi-family housing at 1054 S. Herman Rd. - Parcel #022-032-005-00. a Special Use Permit for Multi-Family Housing at 1054 S. Herman Rd - Parcel #011-032-005-00.

Steve Patmore's Staff Report -

Steve Patmore said an introduction of the Application was held in February and scheduled for reapproval at a public hearing on March 7, 2023 because the special use permit granted in 2021 had expired.

Michele Baldwin commented on the reason why the site plan is being changed.

Richard & Michele Baldwin, Baldwin Homes & Land, are considering changes in their Application and Site Plan for re-approval. These possible Site Plan changes, shown on attached sketch, are the result of uncertainty over the sanitary extension shown on the previous plans. The revised plan shows less units, an on-site septic system, and a revised driveway and parking plan.

It is recommended that the Suttons Bay Township Planning Commission table the Application at this time to allow the Applicants to investigate and make potential revisions. The Public Hearing will be re-conducted once revised plans are received.

- At the time of the previous Site Plan Approval, there was an intergovernmental agreement between Suttons Bay Township and the Village of Suttons Bay that covered potential extensions of the Village Water and Sanitary Sewer Systems to serve properties in the township. Since that time, the Suttons Bay Village Council has rescinded this intergovernmental agreement.
- The Village of Suttons Bay is currently reviewing the condition and capacity of their sanitary sewer and water systems, and has stated that they are working on the new ordinance and possible policies and agreements to allow future water and sewer extensions.
- The Baldwin's previous Site Plan and Special Use Permit approval from the PC, and the current Application in front of the PC is based upon an extension of the village sewer system to serve the project. Therefore, the township needs some assurance from the Applicant that an on-site septic system is feasible.

Chair Koernke opened the public hearing.

Larry Mawby said he owns two properties on Herman Rd. and supports the Baldwin Project.

Peter Leabo, 8210 E. Duck Lake Rd. said he has property on Herman Road and supports the Baldwin project.

The public hearing was closed.

Steve Patmore said it is recommended that the current Application for Special Land Use Permit and Site Plan Review be tabled for up to nine (9) months to allow the



Applicant to investigate on-site sewer options and revised their Site Plan. The nine month period is based upon the anticipated time discussed by the PC for implementation of the revised zoning ordinance.

**Dee McClure/moved, Rhoda Johnson/supported, to table the Application for a Special Use Permit submitted by Richard and Michele Baldwin, Baldwin Homes and Land, for multi-family housing at 1054 S. Herman Road for up to nine (9) months from this date to allow the Applicant to investigate on-site septic disposal and revise their Site Plan. A Public Hearing will be conducted once the Application proceeds. Motion carried.**

2. Public Hearing and Consideration of an Application to Rezone Property off of Lover's Lane from Agricultural to Residential submitted by Gloria Korson, Part of 45-011-023-002-00.

Steve Patmore's Staff Report -

Applicant/Owner: Gloria Korson  
Subject Property: Property No.: Part of 45-011-023-002-00 and  
Part of 45-011-023-011-04  
No addresses assigned.  
Legal Description is listed in Application packet.  
Existing Zoning: Agricultural  
Request: Rezone 2.854 acres of the subject parcel from Agricultural Zoning District to Residential Zoning District

Process

- A rezoning is a Zoning Map Amendment in the Official Zoning Ordinance, and is covered in the Michigan Zoning Enabling Act and Suttons Bay Township Zoning Ordinance.
- The Planning Commission reviews applications for Map and Text Amendments, conducts a Public Hearing and makes a recommendation to the Township Board.
- By statute, the recommendation is also reviewed by the County Planning Commission.
- The Township Board then considers the formal amendment to the zoning ordinance.
- The Michigan Statute provides for the voluntary offering of conditions for a rezoning by an applicant. These must be voluntary offering of conditions for a rezoning by an applicant. These must be voluntary and must be submitted in writing. **There are no voluntary conditions included with this application.**

Background

- The Planning Commission is only reviewing the rezoning of the overall described 2.854 acres.
- The Planning Commission is not reviewing the parcels shown on the Land Survey (Parcel A and Parcel B) or the private road. Any future division of this land would be reviewed by the Land Division Committee (Assessor, Supervisor, Zoning Administrator).

- Approval of the rezoning does not infer or imply that the parcels shown on the survey would be approved by Suttons Bay Township, and does not infer or imply that the parcels are buildable.
- However, under current zoning, the rezoning would allow a one acre density compared to the two-acre density of the current Agricultural District.
- If the overall Suttons Bay Township Zoning Map is changed in the future, as is being discussed by the Planning Commission, that revised zoning map would supersede this zoning action.

#### Schedule

- Application received on January 18, 2023.
- Introduction was held on February 7, 2023.
- A Public Hearing has been published for March 7, 2023.

#### Previous Activity on Parent Parcels:

- Suttons Bay Township approved a rezoning of 2.24 acres on Lovers Lane from Agricultural to Residential to allow for two parcels on Lover's Lane.
- Subsequently a Land Division was approved for two lots.
- In 2014, the township approved the rezoning of an additional 0.637 acres of adjacent land from Agricultural to Residential to allow one of the two previous lots to be shifted to the West.
- In 2017, the township approved the rezoning of an additional 0.344 acres of land adjacent to one of the two lots (parcel 45-022-023-011-02) from Agricultural to Residential, to enlarge this lot and expand the building area.
- This 0.344 acres was added to 45-011-023-011-02 as a boundary line adjustment.
- The subject property proposed for rezoning in this Application is adjacent to the land that was rezoned in 2016 and 2017.

#### Attachments:

- Application, Survey, and Legal Descriptions.
- Vicinity Map prepared by Staff.

#### Master Plan

The 2011 Master Plan Future Land Use Map (page 56-Map #11) lists the general area of the subject property as on the borderline between Shoreline Residential, Rural Residential & Working Lands.

#### Supplement to Staff Report - Steve Patmore

##### 1. How many "splits" are allowed on the property?

I was asked by the Planning Commission to find out how many "splits" are left on the Korson property. I researched the Land Division files and found the following:

- The Parent Tract, as defined in the Michigan Land Division Act, consisted of two parcels totaling approximately 63 acres.
- According to our records, there are four (4) remaining Divisions from the Parent Tract after previous divisions were made.

- It should be noted that the Michigan Land Division Act also contains provisions for Redivisions after ten years.

It should be noted that this answer applies to metes and bounds divisions, and that there are other methods to convey land, including condominiums and subdivisions, which are not limited to the divisions noted above.

As mentioned in the original report, the Planning Commission is not being asked to review lot layouts or private roads.

It should also be noted that the current Application for rezoning includes only 2.854 acres of the Parent Tract. This is what the PC is reviewing, not the remaining property.

Chairman Koernke opened the public hearing on the proposed rezoning -

- Jeremy Peplinski, 465 N. Lover's Lane Ct., looking to purchase one acre for a garden and have a buffer between any changes that may happen in the future, in favor of the rezoning, not looking to put dwelling out there.
- Bridget Klassen, Lover's Lane - concerns are lack of transparency with the application. Road application is for 5-14 lots, how can you split the 2.584 acres into 14 lots. Road Commission issued permit where no residential zoning exists. Lack of accountability when project will be completed. Not adequate information at this time to make a decision.
- Mr. Mikowski, Elm St., Suttons Bay - is helping Ms. Korson with this property. She is trying to utilize her property in a manner she sees fit. This is happening to other farms in the area.
- Gloria Korson, Stony Point Rd - Want to rezone the 2.584 acres to 2 lots and from there have 3 lots that are going to be put in there. Waiting for rezoning before can move forward with the road.
- Linda Schlot, 260 N. Nanagosa Trail - Finds there would be adverse impact on neighbors who have lived in the area with the understanding that was ag property when they bought it, no expectations was going to be turned into mini development in the future.
- Peter Leabo, 8210 E. Duck Lake Rd - has been approached by potential clients who have purchased property adjacent to subject property. Are alternatives to rezoning. Don't support the rezoning.
- No public comment on Zoom.
- Written comments from Claudia Hendry, Gardner and Bridget Klassen, and Jerry and Joan Hjelle.

The Chair closed the public hearing.

#### General Findings of Fact:

1. Parcel 45-011-023-002-00 with the legal description as filed with the Township.
2. The subject property is currently zoned Agricultural.
3. The subject property is currently vacant.
4. According to the Application, the subject property contains 2.854 acres.

5. According to Township records, the Master Parcel/Parent Parcel contains a total of approximately 56 acres.
6. According to Township record the subject parcels are owned by Gloria I. Korson.
7. Gloria Korson submitted an application to re-zone the subject property from Agricultural to Residential.
8. Properties Adjacent to subject property:
 

North:	Zoned: Residential	Use: Residential/Subdivided
West:	Zoned: Residential	Use: Residential
East:	Zoned: Residential	Use: Residential/Subdivided
South/SW:	Zoned: Agricultural	Use: Vacant/Agricultural

Incorporated in the General Findings of Fact  
 Agricultural Map, Master Plan Map, Split Lot Information.

Maps and Documents Reviewed by the Planning Commission  
 Proposed Parcel Division, Master Plan, Future Land Use Map, Zoning Ordinance, Tart Cherry Inventory Map, Three (3) Leelanau Parcel Viewer Maps.

Rezoning Factors:

Factors that should be considered by the Planning Commission and Township Board include but are not limited to the factors listed below. These are considerations, and not all of these factors are required to be met to approve or deny the application.

Listed after each consideration are the individual comments made by planning commission members, and not the consensus of the commission. The individual PC members will make their decision based upon their review of these considerations.

**A. The proposed rezoning is consistent with the surrounding uses:**

Individual PC Comments:

- The surrounding area is agricultural and residential, ½ and ½.
- There are residentially zoned parcels in this area and adjacent areas.
- The subdivision adjacent to this property is residential and was created prior to the Suttons Bay Township Zoning Ordinance.
- The parcel, with houses on three sides, is not an attractive piece of property to farm.

**B. There is no adverse physical impact on the surrounding properties.**

Individual PC Comments:

- It was mentioned that one of the new parcels would be used by an adjacent owner.
- During the Public Hearing, it was noted that adjacent neighbors bought their land with the idea that this land would remain agricultural.
- Surrounding properties are both residential and agricultural.
- Just because a property is zoned agricultural doesn't mean that there can't be a house on the property. Need to look at the difference – 1 acre lots vs. 2 acres.
- Do one acre lots create an adverse physical impact?
- Look at the topography – all of the subdivided lots are lower.

**C. There is no adverse effect on property values in the adjacent area.**

PC Comments:

- Same comments as B.
- There was no evidence presented that adjacent property values would be lower.

**D. There have been changes in land use or other conditions in the immediate area or in the community which justify the rezoning.**

Individual PC Comments:

- It is harder to farm this property because of nearby development. There are houses on three sides of this property.
- This is too small of an area for intensive farming.
- Don't know anyone who would plant orchards on this small of a parcel with houses on three sides.
- There is a huge difference in topography between this land and the (neighboring) subdivisions that would provide a buffer.

**E. Rezoning will not create a deterrent to the improvement or development of the adjacent properties in accordance with existing regulations.**

PC Comments:

- By consensus, the PC found this not applicable to this case.

**F. Rezoning will not grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public**

Staff Comments: When asked what this means, ZA Patmore explained that he believes that this factor is talking about spot zoning, that is, an isolated case of rezoning different than the neighboring area. You shouldn't create an island of residential in the middle of agricultural.

Individual PC Comments:

- The subject parcel is next to residential zoning, it is not spot zoning.
- Applicant owns most of the other agricultural property in the area.
- Rezoning of this property would be a special privilege for the owner when contrasted with the residential property owners in the area.
- Neighbors have already had their property rezoned.

**G. There are substantial reasons why the property cannot be used in accordance with its present zoning.**

Individual PC Comments:

- PC made referral to the farming comments made earlier (in Factor D).
- The property owner could still split this land with two acre parcels.

**H. The rezoning is not in conflict with the planned use for the property as reflected in the master plan.**

Staff Comments: The Future Land Use Map in the 2011 Master Plan was reviewed and distributed. The map does not show individual property lines on purpose. It delineates the area of the Subject Property as being on the border of lands being Shoreline Residential, Rural Residential, and Working Lands.

**I. If rezoned, the site will be served by adequate public facilities.**

Staff Comments: This could be referring to roads, schools, police, water, sewer, etc. The access to the subject property would be a private road, and would be approved by the township prior to land use permits. The access to Lover's Lane would have to meet Road Commission standards.

Individual PC Comments:

- If the road doesn't get built would the subject property be landlocked?
- Prior to Land Division Approval, the road easement would be established. The PC is not approving any splits with this application.
- A rezoning is not a guarantee that the Land Division will be granted.
- There was no mention of any lack of public facilities associated with this request.

**J. There are no sites nearby that are already properly zoned and that can be used for the intended purposes.**

Individual PC Comments:

- The intended purpose is residential lots.
- Discussed the zoning of other houses under construction on Nanagosa Trail.
- Discussed a boundary line transfer as an alternative to allow the neighbor to have land for a garden. Staff noted that the adjacent parcels to the northwest are platted, and the Assessor does not allow metes and bounds land to be added to platted lots.
- Several property owners on Stony Point Road added property to their metes and bounds lots from the Korson property.
- Adding land to the parcel does not automatically change the zoning designation.
- Having splits on the NW portion of this property could actually preserve some of the farmland on the remainder of the property.
- When was the Korson property first divided? 2002 was first Land Division Act division.
- Some concern about potential re-division rights under the Land Division Act.

**Additional Individual PC Comments and Discussion:**

- To be clear, the PC is focused on a change of zoning on the 2.8 acres – not the split.
- If the property is rezoned, then the underlying density will change and the parcel could be split into two lots.
- The decision should be made by each commissioner's review of Factors A-J discussed above.
- The factors do not take into account that the Applicant has divided the property in 2010 and 2014 and set a precedence.
- Each individual rezoning request should be looked at independently.
- The PC is working on a new zoning map – what happens then? ZA Patmore noted that the draft zoning ordinance does not include the Residential Zoning District, there are new Shoreline Residential, Rural Residential, and Neighborhood Residential districts. The subject parcel will be subject to whatever zoning district that it is assigned on the new map. He admitted that the new designation should take into account this discussion.

**General Findings of Fact:**

ZA Patmore noted that the General Findings of Fact included items 1-8 included in the Staff Report and listed above, the supplemental information on number of divisions reviewed tonight, the Future Land Use Map reviewed tonight, the farmland maps reviewed tonight, and the list of currently allowed uses in

the Agricultural and Residential Zoning Districts that the ZA discussed tonight.

Chair Koernke asked if there was a motion:

***Dee McClure/moved, Rhoda Johnson/supported, to recommend to the Suttons Bay Township Board denial of the Application for rezoning of 2.854 acres as described in the Application from Agricultural to Residential submitted by Gloria Korson. This recommendation is based upon Application, Findings of Fact, Rezoning Factors, and Public Comment.***

***McClure noted that her decision was based upon Rezoning Factors A and B as demonstrated by the Public Comment and letters we received.***

***Roll call vote: Yes: 5. No: 3. Absent and excused: 1  
Motion carried.***

**Chair Koernke asked if there is any public comment.**

- Mary Leabo McManamey, owns the Leabo Farm, learning the procedure for zoning.
- Linda Schlot, Knorr Drive - difference between good and bad development. Knorrwood Subdivision used to be a farm.
- Jeremy Peplinski - lived on Lover's Lane for 42 years, some of that property has been rezoned and houses built there, had no adverse affects on his property.

Public comment was closed.

3. Zoning Ordinance Overhaul Project - Networks Northwest  
Mathew Cooke submitted proposed definitions for the new zoning ordinance. There was a brief discussion of some of the definitions. The Zoning Ordinance Overhaul Project will continue at a special meeting on March 21, 2023.

**Reports:**

Zoning Administrator - Steve Patmore submitted his Report.

Planner - Mathew Cooke - Housing Ready Checklist and Plann Comm Roster submitted.

Township Board - No report.

Chair - Affordable Housing Committee, March 16th, 9:30 a.m.

**Next Regular Meeting -**

**Adjournment -** The meeting was adjourned at 8:02 p.m.

Minutes by Marge Johnson, Recording Secretary

Dee McClure, Secretary

At the request of the Recording Secretary – Staff supplemented the Rezoning Factors section of these Minutes. Staff also adjusted page numbers.

# TEXT AMENDMENT REVIEW

## PC06-2023-06 Glen Arbor Township

### Text Amendment – Article IX Agricultural District

**Reviewing Entity:** Leelanau County Planning Commission  
**Date of Review:** March 28, 2023

**Section 1: General Information**

**Date Request Received:** March 14, 2023

**Last Day of Review Period:** April 13, 2023 (30-day review period under the Michigan Zoning Enabling Act)

**Requested Action:** Review and comment on a proposed text amendment to the township zoning ordinance – Section IX.3 and IX.4, of the Agricultural Zoning District Use Regulations.

**Applicant:** Glen Arbor Township Planning Commission  
Lance Roman, Chairman

**Section 2: Proposal**

See Appendix for a copy of the proposed text amendments.

**Section 3: Other Planning Input**

**Township Plan:** The Glen Arbor Township Master Plan (2019), does not specifically address this amendment.

**Leelanau General Plan:** The Leelanau General Plan (2019) does not specifically address this amendment.

**Township Planning Commission:**

A public hearing was held on March 2, 2023 and after the public hearing, the township planning commission unanimously passed the following motions:

*Hawley made a motion to approve the proposed amendment Article 9. Thompson supported. Hawley aye, Dotterweich aye, Thompson aye, Roman aye. Motion carried.*

*Thompson moved to forward the amendment to Leelanau County Planning Commission for review. Dotterweich supported. Hawley aye, Dotterweich aye, Thompson aye, Roman aye. Motion carried.*

**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? See staff comments.

**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 Zoning Ordinance at:

<https://www.glenarbortownship.com>

**Section 5: Staff Comments**

The **current Article IX AGRICULTURAL DISTRICT, SECTION IX.3 REQUIRED LAND AREA** reads as follows:

A parcel of land to qualify as a farm under this District shall consist of not less than three (3) acres.

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

The minimum land area for any use in the Agricultural District shall be three (3) acres.

The **current SECTION IX.4 THE MINIMUM LAND PER DWELLING** reads as follows:

Each single-family dwelling with its accessory buildings shall be located on a legally described parcel of land of not less than one hundred thirty-one thousand (131,000) square feet of area, if it is not built as a part of the main farm dwelling, with minimum road frontage of two hundred (200) feet.

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

Each parcel or lot shall have a minimum road frontage of two hundred (200) feet.

Draft minutes of the public hearing indicate that legal counsel advised the township to amend and clarify the minimum lot size and road frontage required for all used in the Agricultural Zoning District.

## **Appendix - Transmittals from Glen Abor Township**

**Gail Myer**

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**From:** Trudy Galla  
**Sent:** Tuesday, March 14, 2023 4:30 PM  
**To:** Gail Myer  
**Subject:** FW: Glen Arbor Planning Commission Zoning Ordinance update  
**Attachments:** Agenda 3-2-2022 - Glen Arbor Township Planning Public Hearing.pdf; GAPC Legal Notice AGRICULTURAL 3 ACRE & 200 FEET FRONTAGE 03022023.pdf; Ordinance V4\_10 Changes Proposal - Section IX.3 & IX.4 Clairfications.pdf; Z\_P\_March\_2023\_Public\_Hearing.pdf  
  
**Expires:** Sunday, September 10, 2023 12:00 AM

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**From:** Lance Roman <lanceromanx@aim.com>  
**Sent:** Tuesday, March 14, 2023 4:29 PM  
**To:** Trudy Galla <tgalla@leelanau.gov>  
**Subject:** Glen Arbor Planning Commission Zoning Ordinance update

Hi Trudy

Attached is information for a Glen Arbor Planning Commission Zoning Ordinance update.  
Please have the LCPC review.  
Let me know if there is any other information needed.

Thanks,

Lance Roman  
GAPC Chair

# Proposed Zoning Ordinance Changes to Version 4.10

## Section IX.3 & IX.4 Clairfications

### **ARTICLE IX      AGRICULTURAL DISTRICT**

#### **SECTION IX.1    USE REGULATIONS**

A building or premises in this [District](#) shall be used only for one or more of the following specific uses:

Including any use permitted in Residential I, II, III and IV Districts as described under ARTICLE V of This Ordinance.

[Farms](#) of all types including those of general farming or for specialized farming.

Private forests with such harvesting equipment as saw mills, maple syrup reducing plants and charcoal plants.

Nurseries and greenhouses.

Riding Stables.

Mining, including extracting of sand, gravel or other natural resources.

Cemeteries.

Ice manufacturing plants.

Contractors and Excavators.

#### **SECTION IX.2    CONTIGUOUS ZONE**

Where any other Zone is contiguous to a [farm](#) located in an Agricultural District and forms a part of the farm, all farm uses and activities permitted in the Agricultural District may be carried on such contiguous land, except that any buildings constructed shall conform to the requirements of ARTICLE V (Residential).

#### **SECTION IX.3    REQUIRED LAND AREA**

The minimum land area for any use in the Agricultural District shall be ~~A parcel of land to qualify as a farm under this District shall consist of not less than~~ three (3) acres.

#### **SECTION IX.4    THE MINIMUM LAND PER DWELLING**

Each parcel or lot shall have a ~~Each single-family dwelling with its accessory buildings shall be located on a legally described parcel of land of not less than one hundred thirty-one thousand (131,000) square feet of area, if it is not built as a part of the main farm dwelling, with~~ minimum road frontage of two hundred (200) feet.

*Leelanau Enterprise*

Attention: [Legals@leelanaunews.com](mailto:Legals@leelanaunews.com)

Please publish the following legal notice in the February 9th, 2023, edition of the *Leelanau Enterprise*. If there are questions, please call Tim Cypher at 231-360-2557.

**GLEN ARBOR TOWNSHIP PLANNING COMMISSION  
NOTICE TO THE PUBLIC  
Public Hearing  
Thursday, March 2, 2023—7:00 p.m.  
6394 W. Western Ave., Glen Arbor, MI 49636**

The Glen Arbor Township Planning Commission is holding a public hearing to amend Sections IX.3 and IX.4 of the Agricultural Zoning District Use Regulations to restate the required minimum parcel size of all uses to be 3 acres and the minimum road frontage of 200 feet. The Agricultural zoning districts are located in T29N R14W & T29 R13, Glen Arbor Township, Leelanau County, Michigan.

To review the amendment, call the Glen Arbor Township Zoning Administrator, (231-360-2557) or to submit written comments, write Glen Arbor Township ZA, P.O. Box 276, Glen Arbor, MI 49636; fax (231) 334-6370; or email [tim@allpermits.com](mailto:tim@allpermits.com)

Timothy A. Cypher, Glen Arbor Township Zoning Administrator

# MASTER PLAN REVIEW

## PC07-2023 Lake Township

**Reviewing Entity:** Leelanau County Planning Commission  
**Date of Review:** March 28, 2023

### **Section 1: General Information**

**Date Request Received:** March 16, 2023  
**Last Day of Review Period:** There is a 63-day review period under the Michigan Zoning Enabling Act.

**Requested Action:** Review and comment on the proposed Lake Township Master Plan.

**Applicant:** Lake Township Planning Commission

### **Section 2: Lake Township Action**

#### **Planning and Zoning**

Township officials have been working on this update and sought input on the updated Plan by holding a public input session last year and by making an online survey available. The Plan was approved by the Lake Township Planning Commission and recommended for final action by the Lake Township Board of Trustees.

A memorandum dated March 6, 2023 was distributed by Lake Township Planning Commission to Leelanau County Planning for review of the Lake Township Master Plan Update 2023. The township has scheduled a public hearing on April 6, 2023 to receive any further input of comments on the Plan. Page 1 of the Plan documents the history and the update process.

(Note: No minutes from the March 2 Planning Commission meeting were available at the time this report was completed)

### **Section 3: Basis for Plan Review**

**Section 41 of the Michigan Planning Enabling Act (MPEA) (PA 33 of 2008, as amended)**, requires a copy of a Plan or extension, addition, revision or other amendment of a Plan to be submitted to the county planning commission for review and comment. The review period for a Plan is 63 days.

#### **Section 41.**

3. If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

- (a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).
- (b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.

**Section 4: Analysis**

*The Principal Goal of the Leelanau General Plan is to establish a strategy for meaningful growth that protects, and where possible, enhances the unique character and quality of life by focusing on the balance of environmental protection, resource management and economic development so as to provide a foundation for a sustainable economy that permits long term prosperity for all present and future Leelanau County residents. The proposed Plan has been reviewed for consistency with these policies.*

**A. Intergovernmental and Regional Context**

A partnership founded on mutual respect and mutual support in achievement of the common goals of the General Plan should guide the development and implementation of new relationships between the County and local units of government in the County and between the County and adjoining counties in the region.

1. Does the proposed Plan strive for greater cooperation between neighboring units of government?  
Yes.

**B. Preservation of County Character**

The existing natural and people-made features in the county that make up its rural character are interdependent with the activities that comprise its economic base. It is important therefore, that future land use change in the County enhance, not undermine, the character of the area around it, and in so doing contribute to protection of the unique rural character of the entire County.

1. Does the proposed Plan include strategies for the preservation of rural and small-town character?  
Yes.

**C. Working with Nature**

Extensive and diverse sensitive natural features found throughout the County provide the foundation for the present and the future quality of life in the County. They should be protected where pristine, restored where damaged, and have access and use managed for long term sustainability.

1. Does the proposed Plan include strategies for environmental protection, restoration, and management?  
Yes.

**D. Balanced Growth**

Local land use or comprehensive plans and local development regulations should be updated and thereafter maintained to include goals, objectives, policies and strategies for managed future growth consistent with the Leelanau General Plan. Local plans should include more specific land use and density proposals at the parcel specific level. Local regulations should focus on design and other issues of local significance. Public facilities should all be constructed according to local capital improvement programs that are coordinated at all governmental levels.

1. Does the proposed Plan include parcel-specific future land use recommendations (map)?  
Chapter 5, page 4, recommends two possible changes to the townships zoning plan: The first possible change is the elimination of the Commercial Resort zoning district along Deadstream Road, and the second is whether the current residential zoning districts allow higher density housing than is desirable.

**Section 5: Staff Comments**

A Master Plan is the vision of how a community will develop over time, providing guidance regarding how areas should be zoned, and standards that should be incorporated into the Zoning Ordinance.

The Master Plan on the township’s website is dated 2010. At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission. This doesn’t require a local municipality to do an update every five (5) years, but it does require a review and then recording that decision in the minutes.

Section 43 of the MPEA states:

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. A statement recording the legislative body's approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.

Staff is not aware if the Township Board has asserted its right to approve or reject the Master Plan under Section 43 of the MPEA. If the Board passes a resolution, then the final approval of the Plan Update will be taken by the Township Board. Otherwise, the planning commission has final approval.

In the summer of 2022, the township conducted an online survey which was also available in a paper version and a total of 129 responses were received. While it’s not a requirement to be in a Master Plan, some communities have attached a copy of the entire survey and the responses in an Appendix.



# Appendix

# Lake Township

5153 Scenic Hwy.

Honor, MI. 49640

March 6, 2023

To: Leelanau County Planning Commission  
Suite 108  
8527 E. Government Center Dr.  
Suttons Bay, MI. 49682

Enclosed is the proposed Master Plan for Lake Township, Benzie County, Michigan. The enclosed Plan was approved by the Lake Township Planning Commission and recommended for final action by the Lake Township Board of Trustees. The Board has scheduled a **Public Hearing for April 6, 2023, at 6:00 PM** at the Township Hall (5153 Scenic Highway, Honor, MI. 49640) to receive any further input or comments on the Plan. Following the public hearing, final action on the Plan will not occur until the Board's regular monthly meeting on May 4, 2023, at the earliest.

The current 2010 Master Plan was the starting point for this updated plan. We sought input on the updated Plan by holding a public input session at a Planning Commission meeting last year, and by making an online survey available, the response rate for which was very good. The Planning Commission thoroughly reviewed all aspects of the Plan at its regular and special meetings in 2022 and this year.

The recommended update does not change the old Plan's emphasis on preservation of the current rural and natural environment in the Township and does not call for changes in the current land use patterns. Chapter 4 of the updated Plan has a limited number of very specific and targeted objectives for future action. The primary objectives include:

- Review and updates to the Township's short-term rental ordinance.
- A careful review of the provisions of our zoning ordinances as they apply to protection of the environmental quality of our lakes, (including an assessment of the interplay among our basic zoning requirements, the existing separate overlay ordinances for Platte and Crystal Lake, and proposed upgrades to the Crystal Lake overlay ordinance), followed by recommended ordinance amendments that will ensure continued protection of our lakes.
- A review of our current zoning districts, focusing on the possible elimination of the Commercial Resort District along Deadstream Road and on consideration of reducing the allowed housing density in currently undeveloped portions of the Township to maintain its natural, woodland character.

Input is welcome and may be submitted by mail (to the address above), by email to [plancom@laketwp.org](mailto:plancom@laketwp.org), or at the scheduled public hearing.

On behalf of the Lake Township Planning Commission and the Lake Township Board of Trustees,

John Rothhaar, Chair, Lake Township Planning Commission

**Leelanau County**  
**Appointment Application to Boards/Commissions/Committees/Authorities**

The Leelanau County Board of Commissioners is committed to seeking qualified and interested citizens to participate in public service through appointment to various Boards/Commissions/Committees/Authorities. To be considered for an appointment, a citizen must be a resident and a registered voter of Leelanau County, and have an application on file in the Administrator's Office. Applications will expire four (4) years from the issue date; any attachments should be no longer than two pages at length.

**Please type or print legibly**

Name: <b>Craig M Brown, P.E.</b>	Date: <b>3/14/2023</b>
Address (Street, PO if applicable, City, State, Zip): <b>9555 S. Nash Road, Maple City, MI 49664</b>	
Occupation: <b>County Highway Engineer - Leelanau County</b>	
Daytime Telephone:	
Email Address:	

1. Are you a resident of Leelanau County?     Yes     No
2. Are you a registered voter of Leelanau County?     Yes     No  
     Township or Village:     Kasson         Yes     No
3. Can you regularly attend scheduled meetings?    Day:     Yes     No  
    Evening:     Yes     No
4. State your understanding of citizen involvement on Leelanau County Boards, Commissions, Committees, and Authorities (use page 4 if you need additional space).

See page 4

5. What are your qualifications for appointment?

See page 4

**Craig M Brown, P.E.**

6. Please indicate below with an X any/all Boards/Commissions/Committees/Authorities you are willing to serve on. Please place two Xs on the one(s) you feel strongly about:

	X	Board/Commission/Committee/Authority	Have you served on this board in the past? Give dates.
1		<b>Area Agency on Aging of Northwest Michigan (AAA)</b> (1 citizen appointee / 2-year term)	
2		<b>Bay Area Transportation Authority (BATA)</b> (1 citizen appointee / 3-year term)	
3		<b>Benzie-Leelanau District Health Department Board of Health</b> (1 citizen appointee / 2-year term)	
4		<b>Benzie-Leelanau Environmental Health Board of Appeals</b> (1 citizen appointee / 2-year term)	
5		<b>Brownfield Redevelopment Authority (BRA)</b> (5 citizen appointees / 3-year terms)	
6		<b>Construction Board of Appeals</b> (5 citizen appointees / 5-year terms) <i>Specify the category(ies) AND list your qualifications under question #5:</i> Please make a selection	
7		<b>Leland Dam Authority (LDA)</b> (2 citizen appointees / 3-year terms) Please make a selection	
8		<b>Land Bank Fast Track Authority (LBA)</b> (3 citizen appointees / 3-year terms)	
9		<b>Michigan Department of Health and Human Services (DHHS)</b> (2 citizen appointees / 3-year terms)	
10		<b>Northern Lakes Community Mental Health Authority (CMH)</b> (1 citizen appointee / 3-year term)	
11		<b>Northern MI Regional Entity (NMRE) Substance Use Disorder Services Policy Oversight Board</b> (1 citizen appointee / 3-year term)	
12		<b>Northwest Regional Airport Authority (NRAA)</b> (1 citizen appointee / 3-year term)	
13		<b>Parks &amp; Recreation Commission (P &amp; R)</b> (5 citizen appointees / 3-year terms)	
14		<b>Planning Commission (PC)</b> (10 citizen appointees / 3-year terms) <i>Specify category(ies) you qualify for AND list your qualifications for each category under question #5:</i> Transportation <input type="checkbox"/>	No
15		<b>Soil Erosion, Sedimentation and Stormwater Runoff Control Ordinance Board of Appeals (SESSRC)</b> (5 citizen appointees / 3-year terms)	
16		<b>Solid Waste Council (SWC)</b> (9 citizen appointees, 2 ex-officio non-voting members (from the industry) / 2-year terms)	
17		<b>Veterans Affairs Administrative Committee (VAAC)</b> (1 citizen appointee / 2-year term)	
18		<b>Workforce Development Board (WDB)</b> (2 citizen appointees / 3-year terms)	Applications made to Networks Northwest

7. List references and contact information (*minimum of two*):

Reference #1

Reference #2

..  
(23

8. Are you available to attend training sessions for the Open Meetings Act and Freedom of Information Act during your first year of appointment?

Yes  No

9. Are you willing to consent to a Background Investigation?

Yes  No

10. Signature: Craig M Brown, P.E.

Printed Name: Craig M Brown, P.E.

Attachment #1

4. State your understanding of citizen involvement on Leelanau County Boards, Commissions, Committees, and Authorities.

Citizen involvement, is participation by people who are not government officials. People with a fresh, independent perspective who use their knowledge and experience, participating in the planning and decision making, and having a voice in matters of public policy within their community.

Boards are responsible for the policies, programs and operations of various departments. They review/hear appeals and has authority to affirm, reverse or modify decisions of the Code Enforcement Agency's action

A commission provides investigative and decision-making functions to prepare plans, report to the Board of Commissioners and oversee the implementation of the approved plan

A committee oversees and advises in service areas, such as housing or transportation, or it may advise on issues and recommend policy.

An authority is an official organization or government department, having lawful delegation of power authorized by federal or state laws or acts.

5. What are your qualifications for appointment?

A 2001 Graduate of Michigan State University, with a Bachelor's of Science in Civil Engineering. Earned my Professional Engineering License in August 2005, PE #: 6201052694.

I started my career in 2001 providing transportation design engineering working on MDOT and Road Commission projects for over 5 years.

I work for 9 years managing construction projects, while providing layout and construction oversight.

I wanted to expand my knowledge in municipal engineering, I worked 6 years learning design and construction of sewer and watermain.

In 2021 I earned my current position working for the Leelanau County Road Commission as the County Highway Engineer.