

Keweenaw County Planning Commission
Regular Meeting
Minutes – December 3, 2013

Keweenaw County Courthouse 6:01 PM

Roll Call: Jon Soper, Chairman John Parsons, Vice Chair
 Ned Huwatschek, member Richard Schaefer, member
 Steven Siira, member Jim Huovinen, member
 Tom Hall, member
 Ray Chase, Commissioner Ann Gasperich ZA

All members present

The Pledge of Allegiance was recited

The M/S/ by John/Jim to Approve Agenda passed

M/S Tom/Steve to approve minutes of the work session on Nov 26th , passed.
M/S John/Tom to approve minutes of October 29, 2013, passed.
Guests included Randy Eckloff, Jeff Turnquist, Bill Eddy & Jim Vivian

Randy Eckloff said that he was here to see what the planning commission is doing and stated that he wanted to see the whole trailer thing removed from the ordinance.

New Business

M/S Jim Huovinen/Steve Siira to advise Eagle Harbor Township that we have reviewed the Proposed Amendments and to notify the Township to proceed with the process for the presented changes. Passed.

Unfinished Business

Discussion of Work session 7.13 product; the following was presented:

Section 7.13 Reserved for Future Use

Recreational Vehicles (RV)

Except for Recreational Vehicles in bona fide campgrounds the following shall apply:

All RV's must obtain an approved RV Permit, adhere to the required setbacks and comply with health department requirements regarding safe handling of potable water and sewage.

In **Residential Districts**, on parcels up to ten (10) acres, recreational vehicles are not allowed to occupy the parcel for more than ninety (90) days in a calendar year without an **Intent to Build** permit. Parcels ten (10) Acres or greater require a **special use permit** to allow the trailer to occupy the parcel for longer than 90 days.

~~After obtaining an RV Permit in the Agriculture or Timber Resource Districts~~, one (1) RV is allowed ~~per~~ to occupy parcels up to ten (10) acres, no more than two (2) RV's are allowed ~~on~~ to occupy parcels of ten (10) acres or more. *Need to consider including Extraction District.*

On parcels of five (5) acres or greater, each trailer shall meet the required setbacks of 100 feet from the County Road right of way, 100 feet from each property line and 75' from the high water mark.

On parcels of five acres or greater, one recreational vehicles may be stored year-round

On parcels of ten acres or greater, two recreational vehicles may be stored year-round

What about parcels up to 5 acres?

Intent to Build: The Zoning Administrator may issue an Intent to Build Permit to a parcel owner who requests to use ~~for~~ a recreational vehicle ~~used~~ for temporary dwelling purposes, subject to the following limitations and procedures:

1. The purpose of the temporary housing is ~~either~~ to provide on-site housing for residents of the lot while a new dwelling unit is being constructed.
2. The permit is for a period not longer than one (1) year based on evidence presented by the applicant that he/she has a construction plan including WUPDHD approved well, sewage and utilities. The construction plan shall include the foundation and complete

building framing within a specified period of time. This permit is valid for one year and may be extended by the Zoning Administrator when the following standards are met:

- a) A good faith effort has been shown;
 - b) The time extension is reasonably necessary considering the practical difficulties associated with actual construction;
 - c) Occupancy of the structure being rebuilt is reasonably possible within the time extension;
 - d) Granting of the time extension to the applicant and other similarly situated parties will not prohibit enforcement of any provisions of this Ordinance, unduly overburden administration and enforcement resources, or adversely affect general health, welfare and safety of adjacent properties or the general community.
3. The lot or parcel is located in any residential district;
 4. A performance guarantee pursuant to Section 18.13 is collected and said RV is removed within fifteen (15) days after construction is complete
 5. The following additional approvals are obtained:
 - a) Any applicable permits from the Building Inspector
 - b) Approval of a septic system and well from the District Health Department
 - c) A driveway permit from the County Road Commission or Michigan Department of Transportation, as applicable.

Each line was reviewed and discussed. It was suggested to include "one Trailer" only in Residential districts, maintain the 100' setback, remove the last two lines regarding storage of trailers and set those aside for the storage section. After much discussion Extraction was included with Ag& TR, and Manufacturing and Business will not allow RV's.

The lot size in residential district for a minimum was heavily discussed with Jim Vivian voicing a concern over the ability for someone to hook up a RV in downtown Eagle River and staying there for 90 days. In Historic Eagle River that is inappropriate.

Other discussion included the 90 days; should it be consecutive or permit to permit, Intent to build should only be renewed four time for a total of a five year period, if not built in that time, the RV will need to be removed within 30 day and is able to apply for a RV permit for the 90 day policy the next year.

Jim asked if the revisions should be sent to Mark Wycoff. After discussion it was determined that we need to deal with the issues right here.

A Motion by Jim to approve the changes as recommended. (Changes are included in document below. Inclusions are underlined)

Section 7.13 Reserved for Future Use

Recreational Vehicles (RV) (see section 2.3 for definition of Recreational Vehicle)

Except for Recreational Vehicles in bona fide campgrounds the following shall apply:

All RV's must obtain an approved RV Permit, adhere to the required setbacks and comply with health department requirements regarding safe handling of potable water and sewage.

In **Residential Districts**, only one RV is allowed on any parcel. On parcels up to ten (10) acres, recreational vehicles are not allowed to occupy the parcel for more than ninety (90) days in a calendar year without an **Intent to Build** permit. Parcels ten (10) Acres or greater require a **special use permit** to allow the trailer to occupy the parcel for longer than 90 days.

In **Agriculture, Extraction and Timber Resource Districts**, one (1) RV is allowed to occupy parcels up to ten (10) acres; no more than two (2) RV's are allowed to occupy parcels of ten (10) acres or more.

On parcels of five (5) acres or greater, each trailer shall meet the required setbacks of 100 feet from the County Road right of way, 100 feet from each property line and 75' from the high water mark.

Intent to Build: The Zoning Administrator may issue an Intent to Build Permit to a parcel owner who requests to use a recreational vehicle for temporary dwelling purposes, subject to the following limitations and procedures:

1. The purpose of the temporary housing is to provide on-site housing for residents of the lot while a new dwelling unit is being constructed.
2. The permit is for a period not longer than one (1) year based on evidence presented by the applicant that he/she has a construction plan including WUPDHD approved well, sewage and utilities. The construction plan shall include the foundation and complete building framing within a specified period of time. This permit is valid for one year and may be extended by the Zoning Administrator when the following standards are met:
 - a) A good faith effort has been shown;
 - b) The time extension is reasonably necessary considering the practical difficulties associated with actual construction;
 - c) Occupancy of the structure being rebuilt is reasonably possible within the time extension;
 - d) Granting of the time extension to the applicant and other similarly situated parties will not prohibit enforcement of any provisions of this Ordinance, unduly overburden administration and enforcement resources, or adversely affect general health, welfare and safety of adjacent properties or the general community.
3. The lot or parcel is located in any residential district;
4. A performance guarantee pursuant to Section 18.13 is collected and said RV is removed or placed in storage within fifteen (15) days after construction is complete
5. The following additional approvals are obtained:
 - a) Any applicable permits from the Building Inspector
 - b) Approval of a septic system and well from the District Health Department
 - c) A driveway permit from the County Road Commission or Michigan Department of Transportation, as applicable.

Seconded by Ned. The Chairman called for any further discussion, Richard spoke, "We are relaxing this a lot. In the 1975 ordinance, trailers were not allowed, in 2006 they were allowed for two weeks, in 2010 we gave them 90 days. And here we are allowing some to stay permanently." The chair asked for other comments, being none he called for a vote. The motion passed with one abstention, Ray Chase.

The Zoning Administrator gave her report. She report on a few violations that she has written letters on. Some are still pending others have been resolved.

John Parson & Ned Huwatschek both will accept another term to serve.

Public Comment was heard.

Randy Eckloff stated, "We should get rid of all of it, telling people they can't use their property how they want. We live in a free country not a communist dictatorship. If they are not polluting, they should be able to stay. Local people can't stay and live where they were born and raised. These people work hard all their lives and can't camp out? They can't go to the lake, sit around a campfire and relax after a long day? This is hard, we, the County Commissioners stuck the burden on the Planning Commission. Thank you for what you're doing. I hear from people all the time saying this ordinance is wrong that they have property and want to be able to use it. Who's toes do you step on and who's don't you?"

Jon Soper replied, "It is the duty of the planning commission to create a guideline that every neighbor can work on."

Randy said, "Since this has come up there are a lot more mobile homes and RV's out there than received the letter. They aren't having a problem why are we making criminals out of the property owners because they own a trailer?"

Richard Schaefer said, "This is a tough situation. We need to manage growth and expansion while protecting the rights of everyone, not just RV owners, the rights of all property owners."

Jeff Turnquist, "I agree with Randy."

Jim Vivian, "Consider, as an option limiting the time from 90 days to four weeks – in any residential district and require a special use permit to put any RV in a residential area."

Bill Eddy, "Will the existing situations be able to continue to exist as legal non-conforming? Or will they need to follow the new ordinance?"

Jon Soper, "We will enforce the ordinance for all. It will require a lot of work determining when trailers were moved to a parcel. If a trailer was moved to a parcel in 2008, they fall under the ordinance that was in effect at that time."

Richard Schaefer, "Someone can't look at one sentence in the ordinance and say look here, enforcement will be tedious, we need to start at the beginning of the ordinance to look at the entire book in order to enforce it."

The Chairman asked for Commission Final Comments – there were none.

The schedule was set for January 7th as the next meeting at 5:30 and the Public Hearing for RV Ordinance Changes for 6:00 PM.

Another Meeting – January 28, 2014 6:00 p.m.

Adjournment