

Keweenaw County Planning Commission  
Special Meeting & Public Hearing  
Minutes – January 8, 2015

The Chair called the meeting to order at 6:05 PM

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

All Members were present.

The Pledge of Allegiance was recited.

M/S John/Steve to approve the agenda, passed

M/S Ray/Tom to approve the Minutes of December 9, 2014, passed

Guests Lydia Kauppi, Jeff Ratcliffe, Don Kilpela Sr, Peg Kauppi, Brian Troutman, Bill Eddy, Phoebe Wienke, Miranda Davis, Johanna Davis, Robert Art Davis, Alex Protzel, Dan Steck, George Bailey, Gail English, Sam Raymond, Shelby Laubhan, Tammy Cloutier, Don Kilpela Jr & Elizabeth Kilpela.

Public Comment: Alex asked if the amendment 1 was for both conforming and non-conforming lots? Jon Soper said it would be covered further in the meeting.

The Chair opened the Public Hearing at 6:10 to discuss the Amendments to be presented to the Board of Commissioners for approval on January 15, 2015.

- Amendment 1: Proposed wording for Section 9.2, Subsection C

Provided that adequate potable water and proper and safe septic or sewage disposal can be provided, as determined by the District Health Department, the Zoning Administrator shall permit single lots of record or combinations of single lots of record (those in subsection B above) that are nonconforming because they are substandard in area, width, or depth to be built on without variances provided the width, depth and area is no less than the seventy-five percent (75%) of that required by the terms of this ordinance. *Further, the Zoning Administrator shall be authorized to allow setbacks for front, rear and side yards with are compatible with those of neighboring/adjacent structures provided that no front/rear yard be less than ten (10) feet, no side yards be less than 7.5 feet and no waterfront setback be less than fifteen (15) feet.*

*Change Table 5-3, page 5-7 so that setbacks for conforming lots in RS-1 match those stated for non-conforming lots in Section 9.2, subsection C*

*Add footnote (f) to Table 5-3, page 5-7; (f) for non-conforming lots in RS-1 see section 9.2, subsection C for allowable setbacks*

- Amendment 2: Multiple Family Housing and Two Family Housing.

To recommend modifying the zoning ordinance to allow Multiple Family Housing in RS 1 and RS 2 by right with conditions (conditions to be reviewed) and Two-Family Housing in RS-1 and RS-2 by right.

- Amendment 3: Road Right of Way Setbacks

To recommend modifying Table 5.1 to include the road designations and road right of way setbacks as listed in the Zoning Administrator's proposals.

County & State Primary	Setback 25' from the Right of way
Local Road with speed limit over 35	Setback 20'
Local Road with speed limit under 35 mph	Setback 15' from the Right of way
Local Road at dead end	Setback 10' from the Right of way

Planning Commission to let motion stand as passed. Definitions to be added as "note e" on Table 5-1, page 5-3.

\*\*Public Comments -- Please limit comments to 3 minutes. Total Public Comments not to exceed 30 minutes.

- Amendment 4: One Driveway Per Parcel

October 28, 2014 -- Motion passed with Ray Chase abstaining.

Motion as follows:

M/S Parsons/Huovinen to recommend to the Board of Commissioners to allow two driveways with the correct permits being obtained from the proper Highway Authority, the Road Commission or the State of Michigan Department of Transportation. The driveway permits must be obtained prior to granting a zoning permit.

Planning Commission to let motion stand as passed. Above wording to be added as the last sentence to Section 7.26.3, page 7-16.

## Take Comments on the amendments

### Amendment 1

Bill Eddy asked about table 5-3, Does it have anywhere that it reads setbacks for conforming lots?

Sam Raymond asked "are the setbacks were from the center line or from the right of way" and "is it a state or federal law that controls the row and setbacks?"

Miranda Davis - "someone we trust did the measurements, why are we going to do it again?"

Bill Eddy "We can argue the average setback, what should it be 15, 20, 25 or 32? We have a problem with the reasonable buildable area, how much must we relax the road and waterfront setback to get the buildable area? 10' off of the row, 25' off the waterway? 15' is to close, that will degrade the viewscape from the road and water."

Art Davis - "What does the board think about waterfront setbacks?"

Jon Soper—"We wanted 20'."

John Parsons - "15' is just too close for me." Ned, Ray and Tom were in agreement.

### Amendment 2

The conditions will be the same as for multiple family in R-2 listed in section 10.12.25.

### Amendment 3

Verify the legality of domain on ROW

### Amendment 4

Bill Eddy- "Is there something magical about the number of driveways? 1,2 or 4? The Eagle Harbor Township ordinance removed the entire paragraph. A driveway permit must be obtained prior to a zoning permit"

## Ann read the following letters into the record

Janet Shea

Tish and Tom Boost

Tom Ala

Clayton & Meta Adams

Jon Soper stated, "The Planning Commission has tried to maintain the integrity of the ordinance, if there are problems we try and fix them to make it clear, workable and fair. We want to work with township boards as they have a vested interest; we want to be compatible with the townships. We are trying to make the ordinance usable and not violate the trust of the people.

## Public Comment was taken:

Peg Kauppi - Thank you for holding the public hearing now, Government is open year round, the school runs year round. We live here, this is not the dark of winter.

Art Davis - We can't shut down for six months because some property owners aren't here.

Don Kilpela Sr. - I asked the Board of Review to move their meeting from March to May, that didn't happen. We can't gear government for business, we just can't. What you're doing is just fine.

Shelby Laubhan -- can the row be simplified to 10' for under 35 mph instead of 15'? I believe 30' off of the side of the road is a good spot to build."

John Parsons - "The request from the Grant Township Board represents the people, it carried a lot of weight."

Jeff Ratcliffe—"I appreciate what you are doing. Achieving compatibility is what we are trying to do, vibrancy is what we work toward. I know the fine lines you are trying to balance, old plats, old uses vs new. I applaud your work."

Alex Protzel - "Don't forget about the other 2/3rds of the town. We need to remember almost the entire town of Copper Harbor is non-conforming in one way or the other. The Grant Township Board recommended 15' that what you should go with."

Jon Soper - I appreciate all of you being here and giving us input. You have a strong interest in your town of Copper Harbor. It is great to have you here. I was in favor of waiting until summer and was glad to hear your comments regarding government doesn't stop running, we have business to do, things roll along and it's time to act. I hope this ultimately works for the benefit of Copper Harbor.

Ray Chase - Yes, this County runs twelve months a year.

Don Kilpela - Copper Harbor has turned to a year round community, changes can't wait.

Jon Soper called for other comments. There being none closed the public hearing at 7:40.

## Action from the Public Hearing

\*\*Public Comments -- Please limit comments to 3 minutes. Total Public Comments not to exceed 30 minutes.

M/S Ned/Jim to establish the setback from the water at twenty feet. A lengthy discussion regarding what should the correct distance from the water be took place. A roll call vote was taken. Jon no, Jim yes, Richard no, John yes, Tom yes, Ned yes, Steve yes, Ray abstain. Motion passed

M/S Jim/Steve to set the less than 35 mph setback from the row be lowered to ten feet. Ray abstained, motion passed.

M/S Jon/Tom to remove the number one from the paragraph. A driveway permit from the correct agency must be obtained prior to a zoning permit being issued. Ray abstained, motion passed.

#### New Business

M/S John/Ray to approve the 2015 meeting schedule – Last Tuesday of the Month 6:30 PM Eagle River Courthouse with the exception of November and December. The combined meeting will be held on December 8<sup>th</sup>. If the location is changed the change will be posted on the County website at least 15 days prior to the meeting. Passed

Public Comment none

Commission Final Comments none

Next Public Hearing January 27, 2014 - 6:00 p.m.

Next Regular Meeting January 27, 2014 - 6:30 p.m.

Adjourn