

# OTSEGO COUNTY PLANNING COMMISSION

## **REVISED AGENDA**

September 16, 2013

6:00 PM

**MEETING WILL BE IN THE PLANNING AND ZONING MEETING ROOM LOCATED AT 1322 HAYES ROAD**

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVAL OF MINUTES: From August 19, 2013 meeting
5. CONSENT AGENDA: None
6. OTHER:
7. PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA:  
(Please identify yourself for the record. All comments will be limited to two (2) minutes)
8. PUBLIC HEARINGS:
  1. *Highway Interchange District/Article 17/Schedule of Dimensions setback additions*
9. ADVERTISED CASES:
  1. *Highway Interchange District/Article 17/Schedule of Dimensions setback additions*
10. UNFINISHED COMMISSION BUSINESS:
  1. Otsego County Capital Improvement Plan 2014-2019/Revised information
  2. **Review of 'Service Roads' definition**
11. NEW BUSINESS:
  1. Otsego County Master Plan Review/Discussion
  2. North Star Gardens/New Landscape Business-Special Use Permit-October meeting
12. REPORTS AND COMMISSION MEMBER'S COMMENTS
  1. Election of officers/2014
  2. Expiring terms/Reappointment
    - a. Brown/Charlton-12.31.13
    - b. Hendershot/Hayes-12.31.13
    - c. Stults/Otsego Lake-12.31.13
13. ADJOURNMENT

# Otsego County Planning Commission

PROPOSED Minutes for August 19, 2013

**Call to Order:** 6:00 pm by Chairperson Stults

Pledge of Allegiance

**Roll Call:**

Present: Chairperson Stults, Vice-Chairperson Arndt, Mr. Borton, Ms. Nowak, Mrs. Jarecki, Mr. Klee, Mr. Hartmann, Mr. Mang, Mr. Brown

Absent: Mr. Hilgendorf, Mr. Hendershot

Staff Present: Mr. Schlaud, Ms. Boyak-Wohlfeil

Public Present: Nora Corfis

**Consent Agenda:** None

**Approval of minutes from June 17, 2013:**

Motion made to approve minutes as written by Mr. Klee; Seconded by Mr. Arndt.

Motion approved unanimously.

**Other:** None

**Public participation for items not on the agenda:** None

**Unfinished applicant business:** None

**Public Hearing:**

*Otsego County Capital Improvement Plan 2014-2019*

Public Hearing Open: 6:06 pm

Public Hearing Closed: 6:07 pm

**Advertised Cases:**

*Otsego County Capital Improvement Plan 2014-2019*

Chairperson Stults asked if there were any questions or comments concerning this year's Capital Improvement Plan.

Mr. Mang questioned the data pertaining to the proposed jail stating this year's statistics were the same as last year's plan. He had spoken to a member of the Jail Advisory Committee and he felt the work program's implementation was showing success and there was possible room for expansion in the program. He also said the Criminal Justice Master Plan had not been reviewed in several years and was scheduled to be looked at this coming winter by John Burt, Otsego County Administrator and members of this committee. Mr. Mang stated he was passing on this member's views and suggested the Planning Commission hold off on an urgent recommendation of the jail until this occurred.

# Otsego County Planning Commission

PROPOSED Minutes for August 19, 2013

Mr. Brown arrived 6:10 pm.

Ms. Nowak stated she felt the projects contained in the Capital Improvement Plan were just estimated costs and when a project was ready to move forward, exact costs would be provided. She also stated the jail project was tentative and it was possible to push it back to a later date if needed.

Vice Chairperson Arndt said he also heard comments on the success of the programs but there was another level of crime that *could not* be included in the Work Camp or Drug Court program and criminals were still being released because of inadequate jail space.

Mrs. Jarecki pointed out the priority level of the jail had been changed in the back of the Plan from '*urgent*' to '*important*'.

Mr. Mang commented on the data received from the County be double-checked for accuracy and said priority levels were hard to determine with old data.

Vice Chairperson Arndt suggested the County include a total amount and a length of time, along with the mills so people could have a better idea of the costs.

Mr. Brown questioned the importance of the Capital Improvement Plan.

Chairperson Stults stated before any project could possibly move forward, it must be incorporated into the Capital Improvement Plan. Chairperson Stults also stated when funding is available for a certain project and is allocated for that project only, the County uses the funds to move forward regardless of the priority level in the Capital Improvement Plan. He suggested the Capital Improvement Committee reconvene to discuss the plan further concerning the following:

1. Further research on the Otsego County Jail
2. Update data in appendix for consistency

Mr. Brown questioned the removal of repairs to Meridian Line Road from the Plan.

Chairperson Stults stated he did not know for sure but Charlton Township's board should check with the Road Commission because there could be a number of reasons.

Mrs. Jarecki commented they had an issue within Corwith Township concerning contributions from the Federal Government and maybe the Road Commission might not have the monies either.

Mr. Hartmann made the following motion; Seconded by Mr. Brown:

I move the Capital Improvement Plan 2014-2019 be referred back to the Capital Improvement Committee for additional information and research and be tabled until next month's meeting.

Motion approved unanimously.

## **Unfinished Commission Business:**

The Planning Commission requested Mr. Schlaud address the definitions of '*service drives*' and '*service roads*' as an addition to Article 2/Definitions.

# Otsego County Planning Commission

PROPOSED Minutes for August 19, 2013

Mr. Schlaud presented the following addition to the *Definition* section of the Otsego County Zoning Ordinance and as reference in the *Highway Interchange District* section when recommended to the Board of Commissioners.

**SERVICE ROAD:**

*A local road that parallels an expressway or through street and that provides access to property near the expressway.*

Mr. Schlaud stated he could not find a definition for 'service drive' but felt the definition for 'service road' was the appropriate definition as it described the use.

Chairperson Stults suggested the Planning Commission review the definition for the next meeting stating a public hearing for the Highway Interchange District would be on the agenda.

Vice Chairperson Arndt asked when he could bring Bagley Township's recommendations for parking for review and Chairperson Stults stated he could submit it any time prior to setting the agenda.

**New Business:** None

**Reports and Commission Member's Comments:**

1. Elections will be held at September's meeting.

Chairperson Stults stated elections would take place at the next Planning Commission meeting in September and he would not be considered for candidacy.

He also stated the Chairperson for the Planning Commission would sit on the Otsego County Parks & Recreation Committee. The Committee was responsible for the Groen Nature Preserve, the Otsego County Park, the Community Center, Wah Wah Soo swimming area, Irontone Springs along with Mystic Fields out by the airport.

Mrs. Jarecki stated Corwith Township's work on their Parks and Recreation Plan was progressing.

**Adjournment:** 7:15 pm by Chairperson Stults

Christine Boyak-Wohlfeil, Recording Secretary

Ken Borton, Planning Commission Secretary

## ARTICLE 17 SCHEDULE OF DIMENSIONS

14.1 Table 1 - LIMITING HEIGHT, DENSITY, AND AREA BY ZONING DISTRICTS (See also Article 18.1 Accessory Buildings and Article 19 General Exceptions for Area, Height, and Use)

<i>Zoning District</i>	<b>R1 &amp; R2</b>	<b>R3</b>	<b>RR</b>	<b>FR &amp; AR</b>	<b>Reserved for future use</b>	<b>Reserved for future use</b>
Min. Lot Area (Sq. feet)	20,000 .46 acre	40,000 .92 acre	20,000 .46 acre	88,000 2.02 acre		
Min. Front Setback <i>(b)(j)</i>	25 ft	25 ft	25 ft	50 ft		
Max. Front Setback	NA	NA	NA	NA		
Min. Side Setback	10 ft	10 ft	10 ft	20 ft		
Min. Rear Setback	30 ft (a, h)	30ft (a, h)	30 ft (a, h)	40 ft (a)		
Min. Lot width (k)	100 ft 150 ft Duplex	100 ft	100 ft	150 ft AR 300 ft Duplex		
Max. % lot coverage	25%	25%	25%	30%		
Max. Building height (l)	35 ft (g)	35 ft (g)	35 ft (g)	35 ft (g)		
Min. Ground Floor area of principal structure (Square feet)	720 (i)	720 (i)	720 (i)	720 (i)		
Min. Width of principal structure	20 ft (i)	11ft (i)	20 ft (i)	11 ft (i)		

<i>Zoning District</i>	<b>B1</b>	<b>B2</b>	<b>B3</b>	<b>I</b>	<b>HX</b>	<b>Reserved for future use</b>
Min. Lot Area (Square feet)	10,000	10,000	20,000	40,000	40,000	
Min. Front Setback	30 ft (e)					
Max. Front Setback	NA	NA	NA	NA	NA	
Min. Side Setback	10 ft (c)					
Min. Rear Setback	20 ft (a, d, f)					
Min. Lot width (k)	100 ft	100 ft	100 ft	150 ft	150 ft	
Max. % lot coverage	NA	NA	NA	NA	NA	
Max. Building height (l)	35 ft (g)					
Min. Ground Floor area principal structure (Square feet)	NA	NA	NA	NA	NA	
Min. Width of principal structure	NA	NA	NA	NA	NA	

Minimum front, side and rear setbacks, and maximum lot coverage modifications of up to 25% may be approved by the Zoning Administrator for nonconforming lots, as described in Article 18.26.1 and 18.26.2.

Note a: Lots within 500 ft. of lakes, ponds, flowages, rivers, streams: see Article 15, LOTS NEAR WATER.

Note b: Where the front yards of two (2) or more principal buildings in any block, or within 500 feet in existence at the time of the passage of this Ordinance (or amendment thereto), in the same zoned district or the same side of the road are less than the minimum front yard setback, then any principal building subsequently erected on the same side of the road shall not be required to provide a greater setback than the average for the existing two or more principal buildings.

Note c: On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than twenty (20) feet on the residential side in B1, B2, B3 and HX.

Note d: Loading and unloading space shall be provided in the rear yard in the ratio of at least ten (10) square feet per linear foot of front building wall. Loading space shall not be counted as required off-street parking. Loading zones may be located in other non-required yards if screened or obscured from view from public streets and residential districts.

Note e: Off-street parking may be permitted in the front yard, except that a ten (10) foot wide landscaped buffer is maintained between the front lot line (or right-of-way line) and the parking area.

Note f: No building shall be placed closer than forty (40) feet to the outer perimeter of such district or property line when said use abuts a residential district boundary.

Note g: Subject to approval by the Planning Commission, the maximum height of buildings may be permitted to exceed the maximum stated in the Schedule by up to 50% in R1, R2, R3, RR, B1 and B2 Districts, and up to 100% in all other districts, provided that the applicant can demonstrate that no good purpose would be served by compliance with maximums stated, (as in the case of steep topography, a Planned Unit Development, or larger site); and further, there is no conflict with airport zoning height restrictions; fire safety is maintained subject to local fire authority approval; and the light, air and/or scenic views of adjoining property is not impaired. The Planning Commission and or Zoning Board of Appeals cannot allow a WTG height greater than allowed in Section 18.47 or a Wireless Telecommunication Towers and Facilities greater than the height allowed in the Zoning District PRINCIPAL USES PERMITTED or PERMITTED USES SUBJECT TO SPECIAL CONDITIONS. Also see Article 19 general Exceptions for Area, Height, and Use.

Note h: Section 18.1 allows a rear setback of 10 feet for accessory buildings.

Note i: The foregoing standards shall not apply to a mobile home located in a licensed mobile home park except to the extent required by state or federal law or otherwise specifically required in this Ordinance.

Note j: In instances where the property is adjacent to a public right of way or ingress egress easement dedicated as permanent adequate access to 1 or more lots, the setback shall be measured from that right of way or ingress egress easement.

Note k: Specific allowable uses have greater minimum lot widths as required in the Zoning District allowable use lists.

Note l: Specific allowable uses have greater allowable heights as stated in the Zoning District allowable use lists, Article 18 and Article 19, Section 19.3 Height Limits, of this ordinance

## **OTSEGO COUNTY PLANNING COMMISSION**

### **PUBLIC HEARING NOTICE September 16, 2013**

The Otsego County Planning Commission will hold a public hearing on Monday, September 16, 2013 at 6:00 pm in the Planning and Zoning Meeting room located at 1322 Hayes Road Gaylord, Michigan.

The purpose of the public hearing will be to obtain citizen comment on the following:

1. The addition of the 'Highway Interchange District' as a separate zoning district to Article 17/Schedule of Dimensions of the Otsego County Zoning Ordinance.

All citizens are welcome to attend the meeting or provide written comment. If written comments are provided, the comments must be received at the Otsego County Land Use Services Office by noon (12:00pm) the day of the meeting.

Any citizen who has questions regarding or needs assistance to attend this meeting, should contact the Director of Land Use Services at (989) 731.7420.

CHARLTON TOWNSHIP  
OTSEGO COUNTY

P.O. Box 367 • Johannesburg, Michigan 49751 • Phone: (989) 731-1920 • Fax (989) 731-1070

To: Vern Schlaud

Otsego County Land Use Services

From: Ivan H. Maschke, Charlton Twp. Clerk 9 July 2013

Dear Vern,

At the regular July meeting of the Charlton Township Board there was discussion regards to proposed changes to the Otsego County Zoning Ordinance Schedule of Dimensions. Willard Brown of the Charlton Township Planning Commission was present at the meeting and made a recommendation to the board.

After discussion, Maschke moved, Samkowiak supported, to recommend approval of proposed changes to the Highway Interchange (HX) as presented on Article 14/Schedule of Dimensions plus revise as (FR) & (AR) to a 25 ft. min. front setback, 10 ft. min. side setback, 30 ft. min. rear setback with note H added. Motion carried unanimously.

Thank you very much for your time and consideration.

Sincerely,



Ivan H. Maschke, Charlton Twp. Clerk

Cc: Willard Brown

File

*Township of Corwith*

COUNTY OF OTSEGO  
P.O. Box 100  
8170 MILL STREET  
VANDERBILT, MICHIGAN 49795-0100  
PHONE 989-983-2865  
FAX 989-983-3978

July 10, 2013

Otsego County Land Use Services Department  
Attn: Vern Schlaud  
1068 Cross Street  
Gaylord, MI 49735

Dear Vern,

The Corwith Township Planning Commission is not scheduled to meet in July. The proposed changes to the Zoning Ordinance will be reviewed at their August meeting and comments will be forwarded to you.

Sincerely,



Debbie Whitman  
Corwith Township Clerk



HOME OF MICHIGAN'S LARGEST ELK HERD IN BEAUTIFUL PIGEON RIVER COUNTRY

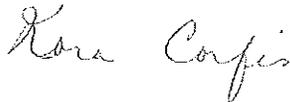
August 8, 2013

Mr. Vern Schlaud  
Director of Land Use Services  
Hayes Street  
Gaylord, Mi 49735

Dear Mr. Schlaud,

At its August 1, 2013 meeting, the Otsego Lake Township Planning Commission approved the proposed changes to Article 14/Schedule of Dimensions. We thank you for the opportunity to review these changes.

Sincerely,

A handwritten signature in cursive script that reads "Kara Corfis".

Secretary  
Otsego Lake Township

*Township of Corwith*

COUNTY OF OTSEGO  
P.O. Box 100  
8170 MILL STREET  
VANDERBILT, MICHIGAN 49795-0100  
PHONE 989-983-2865  
FAX 989-983-3978

September 11, 2013

Otsego County Land Use Services Department  
Vern Schlaud, Director  
1322 Hayes Road  
Gaylord, MI 49735

Dear Vern,

At our September meeting, the Corwith Township Planning Commission made the recommendation that B1 or B2 dimensions be used instead of Industrial in the Highway Interchange District. No objections were voiced to this recommendation.

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

Sincerely,



Debbie Whitman  
Corwith Township Clerk



HOME OF MICHIGAN'S LARGEST ELK HERD IN BEAUTIFUL PIGEON RIVER COUNTRY

# **Otsego County Planning Commission**

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The Planning Commission is requesting the additional information concerning the Capital Improvement Plan 2014-2019:

Chairperson Stults asked Mr. Hartmann, a member of the Capital Improvement Plan committee, about reconvening to discuss the plan further concerning the following items:

1. Further research /updated information on the Otsego County Jail statistics
2. Update data in appendix for consistency (Urgent, important,...)

Mr. Hartmann made the following motion; Seconded by Mr. Brown:

I move the Capital Improvement Plan 2014-2019 be referred back to the Capital Improvement Committee for additional information and research and be tabled until next month's meeting.

Motion approved unanimously.

# **Otsego County Planning Commission 2014-2019 Capital Improvement Plan Committee**

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**PROPOSED** Minutes for August 27, 2013

**Call to Order:** 1:30 pm by Chairperson Bert

Mr. Stults was appointed to be acting secretary.

**Roll Call:**

Present: Chairperson Burt, Mr. Stults, Mr. Hartmann, Mr. Mang

Absent: Mr. Olsen

Mr. Stults moved to approve the minutes of the July 26, 2013 meeting as presented. Motion was approved by voice vote.

**Committee Business:**

The Project Priority for a proposed new jail was discussed considering the updated information. Mr. Hartman moved to continue the Planning Commission Project Priority for a new jail at Urgent. Motion passed by voice vote.

Mr. Stults moved to recommend to the Planning Commission the approval of the revised jail information and recommend the 2014-2019 Otsego County Capital Improvement Plan to the Board of Commissioners. Motion passed by voice vote.

Chairperson Bert adjourned meeting at 2:15 pm.

Randy Stults, 2014-2019 Capital Improvement Plan Committee acting secretary

Project Title: **Otsego County Jail**

Agency: Otsego County

Project Type: New Construction

Year(s) of Project: 2017

Project Description:

A new Jail facility will eventually be needed to replace the current outdated facility located as part of the Courthouse in downtown Gaylord. In 2008, the Jail Citizen Committee recommended building new 24,621 sq ft 68-bed jail at the former DNR property now owned by the County along Illinois Avenue when/if the Criminal Justice Coordinating Committee determines that jail alternative programs can no longer sufficiently alleviate overcrowding. While the DNR property is the current recommendation, other ideas including renovation of existing buildings continue to be discussed.

Schedule:

Construction will not happen until alternative jail programs can no longer sufficiently relieve the jail, and until a dedicated source of funding (millage) can be obtained. It is recommended tentatively for 2015 and will be pushed back as necessary.

Estimated Cost: \$7,800,000 (Costs will change once a final plan is adopted, and construction plans are prepared)

Basis of Cost Estimate: Architect Estimate

Alternative Financing: Funding would likely have to come from a dedicated jail millage, which has not been passed at this time.

Agency Reported Priority: Urgent

**Urgent (will discuss):** The facility will replace the current facility which is often too small to meet legal obligations. The current jail has a 34-bed capacity. The average occupancy of the jail for 2012, reported weekly, was 39 inmates, with the highest average weekly count being 47 inmates. The number of inmates has dropped to 34 average inmates in the first half of 2013, still leaving the jail at its maximum capacity. The reason for the decrease is unknown at this time. A serious safety issue that results from a high number of inmates is that they cannot be adequately separated by classification for their crime, as recommended by the National Institute of Corrections. The Work Camp has averaged almost 15 participants sentenced in-lieu of jail. Without the Work Camp, the jail would have likely averaged over 62 inmates in 2012. In addition, there are many people sentenced to Drug Court in-lieu of jail, though no numbers are available. The size of the offender population has clearly outgrown the size of the current jail.

APPENDIX A

Otsego County Six Year Capital Improvement Plan - Appendix A

Project Name	Agency	Project Type	Funding Source(s)	Estimated Cost	P. C. Priority	2014 Cost	2015 Cost	2016 Cost	2017 Cost	2018 Cost	2019 Cost
Gaylord Regional Airport Taxi Lane Extension	Otsego County	New Construction	90% Federal; 5% State; 5% Local		Important		\$347,000				
Gaylord Regional Airport Box Hangar	Otsego County	New Construction	90% Federal; 5% State; 5% Local		Important				\$329,000		
OCEMS Building Storage Building	Otsego County EMS	Facility Expansion	Grants	\$125,000	Desirable	\$125,000					
Otsego County Jail	Otsego County	New Construction	Various	\$7,800,000	Urgent				\$7,800,000		
Otsego County Library Expansion	Otsego County Library	Facility Expansion	Various	\$5,000,000	Desirable	\$2,500,000	\$2,500,000				
Otsego County Road Commission Road Projects	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$700,000	Important	\$700,000					
Hayes Tower Road Reconstruction Project	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$729,036	Important	\$729,036					
Old 27 South Reconstruction & Resurfacing	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$630,000	Important		\$630,000				
Van Tyle Road Small Urban Project	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$500,000	Important		\$500,000				
Sparr Road Project	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$935,000	Important			\$935,000			
Seymore Road and Kujawa Road Project	OC Road Commission	Major Renovation	Federal STP 80%; Local 20%	\$935,000	Important	\$4,054,036	\$3,977,000	\$935,000	\$8,129,000	\$0	\$0
Total Costs by Year:											