

# Otsego County Planning Commission

---

Minutes for January 23, 2012

**Call to Order:** 6:01 pm by Chairperson Stults

Pledge of Allegiance

**Roll Call:**

Present: Chairperson Stults, Vice-Chairperson Arndt, Secretary Borton, Mr. Colosimo, Ms. Nowak, Mr. Mang, Mr. Hendershot

Absent: Mr. Hilgendorf, Mrs. Jarecki, Mr. Hartmann, Mr. Klee

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

Others Present: John Burt, Otsego County Administrator

Public Present: David Drews, Northern Michigan Engineering, Sandra and Sie Meadows, Sara Honsowetz, John Ruft, Allen Burger

**Consent Agenda:** None

**Approval of minutes from November 28, 2011:**

Mr. Borton requested a correction to the statement at the top of page five (5), 'Motion approved by majority...', Chairperson Stults suggested adding, '*Motion approved by voice vote.*'

Motion made to approve minutes as corrected by Mr. Hendershot; Seconded by Ms. Nowak.

Motion approved unanimously.

**Other:** None

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

**Unfinished applicant business:** None

**Public Hearing:**

Applicant: David Drews, Northern Michigan Engineering

Owner: Maitland-A&G Vacation Properties LLC

PZ11-240/Single Family Site Condominium

Parcel #010-029-200-010-06

Kokozen/Section 29/Bagley Township

W Otsego Lake Dr/Kokozen Ave Gaylord, MI

Parent Parcel 3.86 acres

Proposed division:      Parcel 1 1.06 acres  
                                 Parcel 2 1.06 acres  
                                 Parcel 3 1.27 acres

# Otsego County Planning Commission

---

Minutes for January 23, 2012

Mr. Ferrigan stated Mr. Drews, representing Edward Maitland and Roger Zatkoff of Maitland-A&G Vacation Properties, is proposing a site condominium in lieu of a land division because no divisions are available at this time. Mr. Ferrigan recommended waiving the requirements of Article 16 and reviewing the proposal under the guidance of Article 21. The proposal is simple and must follow the requirements of the Zoning Ordinance. The property will have a Master Deed placed on it stating any restrictions.

Mr. Mang read the following motion:

A motion for PZ11-240 to waive the requirements for Article 16, based upon the determination that creating three (3) single lots that exceed the minimum lot size and setback requirements of Article 14 for the RR zoning district will not create any significant public harm or harm to adjacent properties; And review PZ11-240 as a Planned Unit Development subject to the requirements of Article 21.

Motion seconded by Mr. Arndt.

Motion approved unanimously.

Mr. Drews explained Mr. Maitland and Mr. Zatkoff's desire to propose a future use for the property, stating they have no intention of building at this time. He presented a proposed site plan featuring three (3) single-family dwellings with access off West Otsego Lake Dr on Kokozen Access Rd. The site plan included approximate setbacks, well and septic systems and driveway access from Kokozen Ave. A Master Deed shall contain language restricting tree removal and site improvements and will follow the requirements of the Zoning Ordinance.

Public Hearing: Open: 6:33 pm

Sandra Meadows inquired about the proposed access road on the adjoining property (Parcel E) as she had considered purchasing it. Mr. Drews recommended title insurance, stating it would disclose any easements and such. She also asked about improvements to Kokozen Access Road and Mr. Drews stated it would remain as is.

Sara Honsowetz, Otsego Lake property owner, was concerned about additional lake access granted to these back lots. Mr. Drews stated Mr. Maitland and Mr. Zatkoff already owned property on the lake but lake access did not transfer to the new owners. She asked about future hearings for final approval and Chairperson Stults stated they would not notify anyone individually but future agendas would be available to the public on the County website. Mrs. Honsowetz questioned if multi dwellings were possible and if the waiver of Article 16 played a significant role. Mr. Drews stated the intent was for three (3) single-family dwellings and any changes of use would start the process from the beginning. Chairperson Stults stated the process would be the same regardless of the waiving of Article 16.

Public Hearing: Closed: 6:41 pm

Number one (1) *PZ11-240/Site Condominium* under **New Business** moved to follow Public Hearing.

PZ11-240 Site Condominium/Bagley Township/Section 29  
#010-029-200-010-06/Kokozen  
*W Otsego Lake Dr/Kokozen Ave Gaylord, MI*

# Otsego County Planning Commission

---

Minutes for January 23, 2012

Mr. Arndt, speaking on behalf of Bagley Township, stated he had inspected the site and found it heavily wooded with size and frontage meeting zoning requirements. Bagley Township recommended approval based on three (3) conditions: 1) District 3 Health acceptance of well and septic plan, 2) An enforceable access maintenance plan on the primary access road to the proposed sites, and 3) Acceptable access defined by the Otsego County Road Commission. Mr. Drews stated they would provide an agreement for maintaining access for the three (3) proposed sites but did not want the owners responsible for the road itself.

Mr. Mang agreed with Mr. Arndt the site was heavily wooded and a very nice location. He inquired whether Ash Street is a County Road and if there was legal public lake access on that road. Mr. Drews stated he would check to see if Ash Street was a public or private road and if it did provide public lake access, it would remain that way.

Chairperson Stults also inspected the site and stated the heavily wooded site needed a Master Deed to maintain its appearance. He had concerns about the signage meeting the requirements of the Zoning Ordinance and access for emergency vehicles was something to consider. Mr. Drews will check with EMS about the name of the access road to avoid future confusion.

Mr. Ferrigan read aloud a letter received January 19, 2012 from Eric & Sara Honsowetz voicing their concerns. Mrs. Honsowetz stated her concerns had been addressed.

Mr. Ferrigan presented the following list of exhibits and general finding of facts:  
List of Exhibits:

- Exhibit 1:* Application for case PZ11-240 and site plan submitted by Applicant
- Exhibit 2:* Otsego County Zoning Map dated, *July 2007*
- Exhibit 3:* Otsego County Zoning Ordinance effective date, *March 20, 2010*
- Exhibit 4:* Otsego County Equalization property search detail report
- Exhibit 5:* Letter signed by Edward Maitland granting, David Drews of Northern Michigan Engineering, authorization to represent himself and Mr. Roger Zatkoff as to the site plan submittal and presentation for the proposed Kokozen Estates property development  
Stamped, *Received 11-1-2011*
- Exhibit 6:* Public Hearing Notice
- Exhibit 7:* Letter to Bagley Township Planning Commission from Otsego County Land Use requesting their review and written comments on PZ11-240, dated *November 9, 2011*
- Exhibit 8:* Map and list of parties within three hundred (300) feet of the parcel that were notified of the public hearing
- Exhibit 9:* Receipt #01101722 for payment of the fees for case PZ11-240 dated, *October 10, 2011*
- Exhibit 10:* Written comment regarding the review of #PZ11-240 from Bagley Township Planning Commission dated, *November 21, 2011*
- Exhibit 11:* Generic Draft Master Deed and Exhibit A-Bylaws submitted by David Drew dated, *January 9, 2012*
- Exhibit 12:* Land Use Services review of case PZ11-240 dated, *January 23, 2012*
- Exhibit 13:* Letter received by fax dated, *January 20, 2012* from Eric and Sara Honsowetz regarding PZ11-240, expressing their concerns about property values, who will be responsible for property maintenance and concern over the potential of more people using what is no more than a trail that is not maintained by the county

# Otsego County Planning Commission

Minutes for January 23, 2012

## General Finding of Facts of PZ11-240:

1. This is a proposal to create three (3) single-family building sites; each site will be a minimum of 1.06 acres. *(Exhibit #1)*
2. The property is located in the RR Zoning District. *(Exhibit #2)*
3. The minimum lot size allowed in the RR Zoning District is .46 acres. *(Exhibit #3)*
4. The proposed use is a principle use permitted (single-family dwellings) in the RR Zoning District. *(Exhibit #3)*
5. The property is currently under the ownership of Maitland-A&G Vacation Properties LLC *(Exhibit #4)*
6. The applicant, David Drews of Northern Michigan Engineering, has permission to represent the landowners for the proposed development of this Site Condominium project. *(Exhibit #5)*
7. A Public Hearing Notice published in the Gaylord Herald Times on *January 7, 2012*. *(Exhibit #6)*
8. The requirements of Article 24 of the Otsego County Zoning Ordinance have been met. *(Exhibits #7 & #10)*
9. All property owners within three hundred (300) feet were properly notified of the Public Hearing. *(Exhibit #8)*
10. The Planning Commission has the authority to approve site plans after review and compliance with the Otsego County Zoning Ordinance, Section 20.5. *(Exhibit #3)*
11. The required fees have been collected by Otsego County Land Use Services. *(Exhibit #9)*
12. The site plan requirements of Article 20 have been reviewed by Otsego County Land Use and all requirements have been addressed by the Applicant. *(Exhibit #1)*
13. Article 15 was reviewed and no specific requirements pertaining to PZ11-240 were found.

Motion to approve the exhibit list and general findings of fact made by Mr. Borton; Seconded by Mr. Colosimo.

Motion approved unanimously.

Mr. Ferrigan read aloud the highlighted Staff recommendations on pages eleven (11), twelve (12) and thirteen (13), to be removed as conditions because they are addressed in the Zoning Ordinance. The Master Deed will reflect the requirements of the Zoning Ordinance.

Mr. Borton read the following motion:

A motion that preliminary approval for PZ11-240 is given. Final approval may be granted when the Applicant produces a Master Deed that contains all of the requirements and that Master Deed is reviewed by the Otsego County Planning Commission for compliance.

Motion seconded by Mr. Arndt.

Motion approved unanimously.

## Unfinished Commission Business:

1. Proposed Mining Language:

Mr. Ferrigan suggested forwarding the Mining language information to all the Townships for their feedback before any further Planning Commission discussion.

# Otsego County Planning Commission

---

Minutes for January 23, 2012

Motion made to refer the revised language to the Townships by Ms. Nowak; Seconded by Mr. Hendershot.

Motion approved unanimously.

## Reports and Commission Member's Comments:

1. Committee report on assisted living facilities (Mr. Arndt/Mrs. Jarecki)

Mr. Arndt stated the report was almost complete and he and Mrs. Jarecki would present it at the next Planning Commission meeting. He will send the report to Mr. Ferrigan so it could be mailed ahead of time for all Planning members to review.

2. Executive Committee Report

The Committee discussed ways to shorten the length of meetings and the suggestions will be implemented.

3. Chairperson Stults stated the Otsego County Recreation Plan had been approved by the DNR and would be available online with a copy in Mr. Ferrigan's office.

A budget amendment to provide funds for Planning Commission meetings for actual planning when a paying case is not scheduled was proposed. Chairperson Stults recommended members contact their County Commissioner for support.

The Michigan Chapter of the American Planning Association is holding a Planning and Zoning Essential Seminar on February 27, 2012 in Traverse City from 4:00-7:00 pm. Chairperson Stults stated it was very informative and recommended attending. Information can be obtained through Mr. Ferrigan. Mr. Mang also stated there were opportunities through MAP (Michigan Association for Planners Planning) for online classes. Chairperson Stults stated he and Mr. Ferrigan were members and the class could be viewed in the meeting room by Planning Commission members without cost.

Chairperson Stults presented a letter of resignation from Mike Colosimo, Charlton Township. He thanked him for his service and said he would pass it along to fill the vacancy.

**Adjournment:** 8:05 pm by Chairperson Stults.

Christine Boyak-Wohlfeil, Recording Secretary

Ken Borton, Planning Commission Secretary