

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, July 9, 2020
Time: 07:00 PM Eastern Time (US and Canada)
Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan 49660

AGENDA

I Call to Order

Pledge of Allegiance

II Roll Call

III Approval of Agenda

At this time the Planning Commission can take action to approve the July 9, 2020 Agenda.

IV Approval of Minutes

At this time Planning Commission can approve the June 4, 2020 minutes.

V Public Hearing

No Public Hearing tonight.

VI Public Comment on Agenda Related items

All comments and handouts from the speaker at the podium will go through the Chair, also there will not be any interaction between the podium and audience. If these rules cannot be followed, the Chair can terminate this portion of the meeting. (Usually a limit of between 3-5 mins to address Planning Commission).

VII New Business

- 537 Cypress St, Parcel # 51-51-654-703-07, 6-month update.
- 24 Arthur St. SUP transfer request.
- DDA letter for support.
- Building character and orientation.

VIII Old Business

- Short – term rentals
 - Village of Pentwater
 - Memo to City Council
- Sign Ordinance
- Amendments to ZO
 - Master list and when to call public hearing.
 - Lower Story Dwelling
 - Fences
 - Patios
 - Site Plan Review Committee
 - Dumpsters, Pads, screenings, and enforcement.
 - Dumpster letter to City Council.

IX Public Comments and Communications

At this time the Chair will ask if there are any public comments.
(Usually a limit of between 3-5 mins to address Planning Commission).

X Correspondence

At this time the Chair will ask if any correspondence has been received to be read into the record.

- Beckett&Raeder letter
- Kerry Gavigan Email

XI Staff Reports

XII Members Discussion

At this time the Chair will ask members of the Planning Commission if they have any items they want to discuss.

XIII Adjournment

CITY OF MANISTEE PLANNING COMMISSION

70 Maple Street
Manistee, MI 49660

MEETING MINUTES

June 4, 2020

A meeting of the Manistee City Planning Commission was held on Thursday, June 4, 2020 at 7 pm by teleconferencing, Manistee, Michigan.

Meeting was called to order at 7:02 pm by Chair Wittlieff followed by the Pledge of Allegiance.

ROLL CALL

Members Present: Bob Slawinski, Michael Szymanski, Pamela Weiner, Shelly Memberto and Mark Wittlieff

Members Absent: Marlene McBride and Roger Yoder

Others: Rob Carson (County Planning Director), Mike Szokola (Planner 1/ City Zoning) and Nancy Baker (Recording Secretary)

APPROVAL OF AGENDA

Motion by Commissioner Szymanski, second by Commissioner Slawinski to approve the June 4, 2020 Agenda as printed.

With a Roll Call vote this motion passed 5 to 0.

Yes: Slawinski, Szymanski, Weiner, Memberto and Wittlieff

No: None

APPROVAL OF MINUTES

There were no corrections or additions to the minutes.

Motion by Commissioner Slawinski, seconded by Commissioner Szymanski to approve the May 7, 2020 Planning Commission Meeting minutes as presented.

With a Roll Call vote this motion passed 5 to 0.

Yes: Slawinski, Szymanski, Weiner, Memberto and Wittlieff

No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

Tom Amor, 432 4th Street, representing Amour Sign Studios. He read a letter he sent to Thad Taylor, City Manager, outlining his concerns about a model ordinance. 1) the model ordinance introduced as APA is not this, it is the Montgomery County Planning Commission ordinance from the east coast (Pennsylvania) which the APA and ISA jointly developed, and 2) he referenced the items the present sign ordinance is lacking: an incomplete list of definitions and the PC's desire to move away from pole signs. He disagrees with what the PC stated was the primary trigger for rewriting the ordinance. He stated it was the difference of opinions of how to measure the square footage for a sign on the side of a building. The model ordinance he presented is a blend of APA, SRF (Signage Research Foundation) and ISA (International Sign Association) by the University of Cincinnati. End of letter.

He strongly urged the PC to consider adopting the model sign code he presented at several past meetings and to hold a public meeting/work session. The model ordinance presented by staff is large and he has not had the opportunity to look it over for making his recommendations.

NEW BUSINESS

Memo regarding direction and updates from City Council

Chair Wittlieff commented on a memo dated May 11th, 2020. The memo was included in the packet and all members voiced they received and read the memo.

Chair Wittlieff commented a few days after this (the 15th), --I called the City Manager to discuss this memo and what we wanted; updates from DPW, City Manager, and direction from City Council. The response I received from the City Manager is very disappointing and I'm really upset about it. He stated to me- this is a lot of work to send out an update which is ridiculous to me. He is getting paid to do this, to perform his job, in which I haven't received any update from the City Manager, and I don't know if anyone on the Commission has seen an update of what's going on in the street work. He stated to me that he would have Rob or Mike do the updates, which I refused. I told him it is not their job to do the updates. I told them it is not their job to update us with city functions, it's his job to do that. Then he said maybe I will have Mick Szymanki do it and I referred this is not Mick's job to update us, that it is his job. I did reach out to several city council members and they gave me their support to have this done. So, Mick, I didn't get a chance to talk to you, but I can talk to you later about it. I guess you know my feelings now. The City Manager should "get off the pot" and do his job.

Commissioner Szymanki has asked the City Manager for his weekly updates. Not all things he states to the City Council is pertinent to the Planning Commission. He could send this to Rob and Mark. Chair Wittlieff further commented that he himself sends a daily update to the employees at his job and it takes about 2 minutes. He received an email update from one City Council member, which was a forwarded email from the City Manager from the Spicer Group. A small update is all that is needed; however, the City Manager does not want to do this. We are doing our best to serve the community. We are not updated to what's going on. Commissioner Slawinski stated the Council receives a memo from the City Manager and all that is needed is to delete the paragraphs that do not pertain to the Planning Commission and substitute who this would be sent to.

Fences

Mr. Szokola stated permits for fences were no longer required as of 6/16/2017. Fences must still comply with the ordinance, Section 508 Fences. This needs to be placed under exemptions in the ordinance. The ordinance should contain wording that does not allow fences to be placed close to property lines, even if property limits allow it in such a way as to impede access to the physical structure of the adjoining property.

The Planning Commission agreed to obtain legal opinion regarding this matter.

A description of fences/hedges along the sidewalks should be included in the ordinance. Many municipalities have language in their ordinance that fences, and hedges are treated the same. Mr. Carson stated he was informed by the past city zoning administrator fence requirements were removed because of the workload and the need for a survey. Removing the permitting for a fence removed the liability for the city in a case that has a civil issue between adjacent property owners.

Mr. Szokola advised putting together a list of amendments for the attorney.

Patios

Mr. Szokola stated other municipalities patio permits are exempt if they are under 200 square feet. He recommended a change of language be added to Article Five, General Provision, Section 502, subsection D, subsection 3: e. Patios, built at grade, built no closer than 3-feet to the property line, not exceeding 200 square feet and not exceeding the Parcels "Maximum Lot Coverage" for the district in which it resides.

If desired this fence exempt language could be placed under Section 502 as "f".

The Planning Commission agreed to have this added to the amendments for the ordinance to be passed at a later date.

Site Plan Review Committee

Mr. Szokola stated the city is to conform to the Ready Redevelopment Communities (RRC). The RRC requirement come from the state. We must define for RRC, what a site review committee consists of and who is on it. They are requiring an actual definition. This will be an amendment to the zoning ordinance. The actual definition is mentioned in the letter to the PC, dated May 26, 2020. This will be put on the master plan list for Mr. Saylor to review. The amendments reviewed by Mr. Saylor will be placed on a meeting agenda.

The Planning Commission agreed with the amendment as presented. All committee members will be required to respond to a site plan review with their comments which are to be recorded in writing, including any committee member having no comment or input.

OLD BUSINESS

Short Term Rentals; Village of Pentwater

Mr. Szokola presented a copy of the Short-Term Rental Ordinance from the Village of Pentwater, per the suggestion of a Planning Commissioner, as an example to examine and possibly use as a building block for the city's short-term rental ordinance. At this time, the PC are waiting for recommendation from City Council before moving forward. The City Manager

stated it is premature to move forward with the ordinance. The short-term rental ordinance will be placed on the next City Council work session agenda. Several commissioners voiced they liked the sample ordinance as it a well written document, is reasonable and not radical. There is a housing shortage in this area with some renting pushing out working class families/individuals as they cannot afford to live here. It was agreed that having an ordinance would allow some control over short-term rentals. Mr. Szokola has a contact who will be compiling a presentation of all website listings of short-term rentals for this area. Date of this presentation is currently unknown. Mr. Carson recommended a codified ordinance as planning staff is not available for evening or weekend violation enforcement. The presented sample ordinance will be sent to Thad Taylor, City Manager to be included in the upcoming City Council work session. It was requested to present the Pentwater sample ordinance and a past slideshow presented by Mr. Szokola.

Amendments to ZO

Master list and when to call public hearings

There are a large number of amendments that need to be presented at a public hearing. Due to the many amendments, they will be separated and compiled onto several lists. The PC will review this list, so the amendments listed are not all large and/or controversial items are placed together.

Lower-Story Dwelling

Mr. Szokola stated he added the Lower-Story Dwelling amendment document to the master list. This document of Section 1505 Lower- Story Dwellings was distributed to the PC for their review.

Dumpsters, Pads, Screenings, and Enforcement

Mr. Szokola stated many complaints of dumpsters have been received. Many dumpster owners claim to be grandfathered in. He read the written comment from the city attorney that dumpster locations do not involve a structure and is not a legal conforming use, therefore the city can proceed with enforcement through the zoning ordinance. The dumpsters in question are commercial dumpsters. He suggested a notice be placed in the paper allowing for corrections to be made in a certain timeframe. The city could be divided into districts to handle the enforcement. He recommends seeking City Council support with a time frame for dumpster owners to comply. A compliance letter along with a copy of the ordinance could be sent to the violator(s). Compliance options and the need to develop a plan with a time frame will be considered. The PC will seek the support of the City Council regarding this matter. It was suggested the PC take pictures of violations, record the location of them and send this information to the city zoning administrator.

Sign Ordinance (Model Ordinance)

The model ordinance is only a starting point. This is for review and to work off. There will be a work session for this. There has been no direction from City Council to move forward at this point. Outside lighting on a business is a separate standard of the sign section. The city may

need to be divided into areas due to the different area characters. Photo shots of different types of signs will be helpful in knowing what type of signs are best for an area, or what types should not be allowed in an area. This process will take time, but the work process will begin only after City Council agrees to moving forward with this.

PUBLIC COMMENTS AND COMMUNICATIONS

Tom Amor, 432 4th Street, disagrees with which model code to start with. A purpose of a sign should be staged at the start of the ordinance. Things need to be done in a legal manner. Care must be taken to word the definitions correctly. It is the wrong approach to put the definitions at the start of the ordinance. He suggested to start with looking at the Signage Research Foundation (SRF) model code.

CORRESPONDENCE

Tracey Lindeman, 308 River Street, requested this property be changed from commercial to mixed-use. The PC is working on the lower-story dwelling ordinance. The property in question would automatically be reclassified when the lower-story dwelling issue is addressed, and the ordinance is amended.

STAFF REPORTS

100 square foot or less accessory buildings

Mr. Szokola stated many city residences are on the understanding a 100 square foot building or less does not require a permit. A permit is needed for this. A discussion ensued regarding permitting or not permitting a building of this size along with other factors and/or stipulations. Presently the ordinance does not address this situation.

MEMBERS DISCUSSION

Chair Wittlief stated a permit was issued to Wild Bill Smoke Shop December 2019. This permit was for a 6-month extension to clean up and make necessary repairs to the sign. To date this has not been accomplished. Mr. Carson suggested sending a notice of non-compliance and 30-days to come into compliance to include language of possibly revoking the special use permit. Discussion regarding the lighting on the building ensued. Mr. Szokola stated lighting on business buildings is not well addressed in the ordinance.

Motion by Commissioner Slawinski, seconded by Commissioner Weiner to send a written notice of non-compliance with 30-days to address the sign clean-up and repairs.

With a Roll Call vote this motion passed 5 to 0.

Yes: Slawinski, Szymanski, Weiner, Memberto and Wittlief

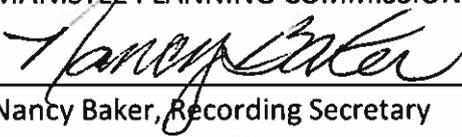
No: None

ADJOURNMENT

Motion by Commissioner Szymanski, seconded by Commissioner Memberto, to adjourn the meeting.

MOTION PASSED UNANIMOUSLY. Meeting adjourned at 9:32 pm.
The next regular meeting of the Planning Commission will be held on July 9, 2020.

MANISTEE PLANNING COMMISSION



Nancy Baker, Recording Secretary

DRAFT



Planning Commission

July 1, 2020

Planning Commission
70 Maple St.
Manistee, MI 49660

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commissioners,

The Planning Commission had requested I inspect and write a letter to the owner of parcel # 51-51-654-703-07 or addressed as 537 Cypress St. The property owner was granted a SUP by the Planning Commission contingent on all the required sign improvements being completed within 6 months. I inspected the property on June 16, 2020, after the 6 months had expired. The pictures from that inspection have been added to this memo. The SUP was written in such a way that I have decided that I could not determine if the sign improvements met the Planning Commission's requirements and that it would be best to have the Planning Commission make that determination. I then invited the owner to this meeting to answer any question the Planning Commission may have.

Please see the attached pictures and bring any questions or concerns to the scheduled meeting. I have also attached a copy of the SUP that was originally issues, pictures, sign permit and original site plan.

Sincerely,

Mike Szokola
Manistee County Planner



Planning Department

June 16, 2020

Joann Krus Living Trust
8903 Maidens Rd
Bear Lake, MI 49614

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

In Reference to the Special Use Permit for Property 537 Cypress Street

Dear Property Owner,

On December 11, 2019 your property at 537 Cypress Street in Manistee, Michigan was granted a Special Use Permit or SUP. One of the stipulations of the SUP were that:

- After a 6-month period of the SUP being granted it must be reviewed by the Zoning Administrator and possibly Planning Commission to go over items including:
 - Main sign improvements and making parking poles in front of parcel straighter and visibly "attractive" i.e. consistent/fresh paint color.

The 6-month period ended on June 11, 2020. As of the writing of this letter the required review has not taken place. If the parcel is not made visibly more attractive via the stipulations of the granting of the SUP, the SUP can be revoked, and all uses granted via the SUP would need to cease. The Planning Commission has requested that this review take place at their July 9, 2020 Planning Commission Meeting. If you do not attend the July 9, 2020 meeting, the Planning Commission can move forward with revoking your permit.

If you have any questions, feel free to contact me via phone or email.

Sincerely,

Mike Szokola
Manistee County Planner
City of Manistee Zoning Administrator

SPECIAL USE PERMIT

CITY OF MANISTEE
395 Third Street
Manistee, Michigan 49660

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Property Owner/Permit Holder: **Joann Krus Trust**
Mailing Address: **537 Cypress St.**
Manistee, MI 49660

Description of Property affected by Special Use Permit: **Parcel #51-654-703-07**

HART + CUTCHEONS SUB OF LOTS 12 THRU 19 OF W MAGILLS ADD LOT 14 BLOCK 1 _____ P.ADDR: 537 CYPRESS ST [(SALE(94) 3601 0671 (98) 3677 0110 (99) 3703 0100

Description of Special Use Granted, as Permitted in Article #18
Section #1823 Convenience Store, Section #1874 Professional Office, Section #1876 Professional Service Establishment, Section #1877 Retail Business

Special Use Permit Application **#PZ19-046**
Approved by the Planning Commission on **December 5, 2019**

PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements as contained in Article 18, Section 1855:

CONDITIONS:

- ❖ Special uses include retail business, commercial store, professional office space, professional service establishment.
- ❖ Parking and signage size discrepancies grandfathered in.
- ❖ Any future changes to the parcel including specific signs must come to the planning and zoning department for review and permitting and possibly Planning Commission.
- ❖ After a 6-month period of the SUP being granted it must be reviewed by the Zoning Administrator and possibly Planning Commission to go over items including:
 - Sign improvements and making parking poles straighter and visibly attractive

WILD WILD WEST

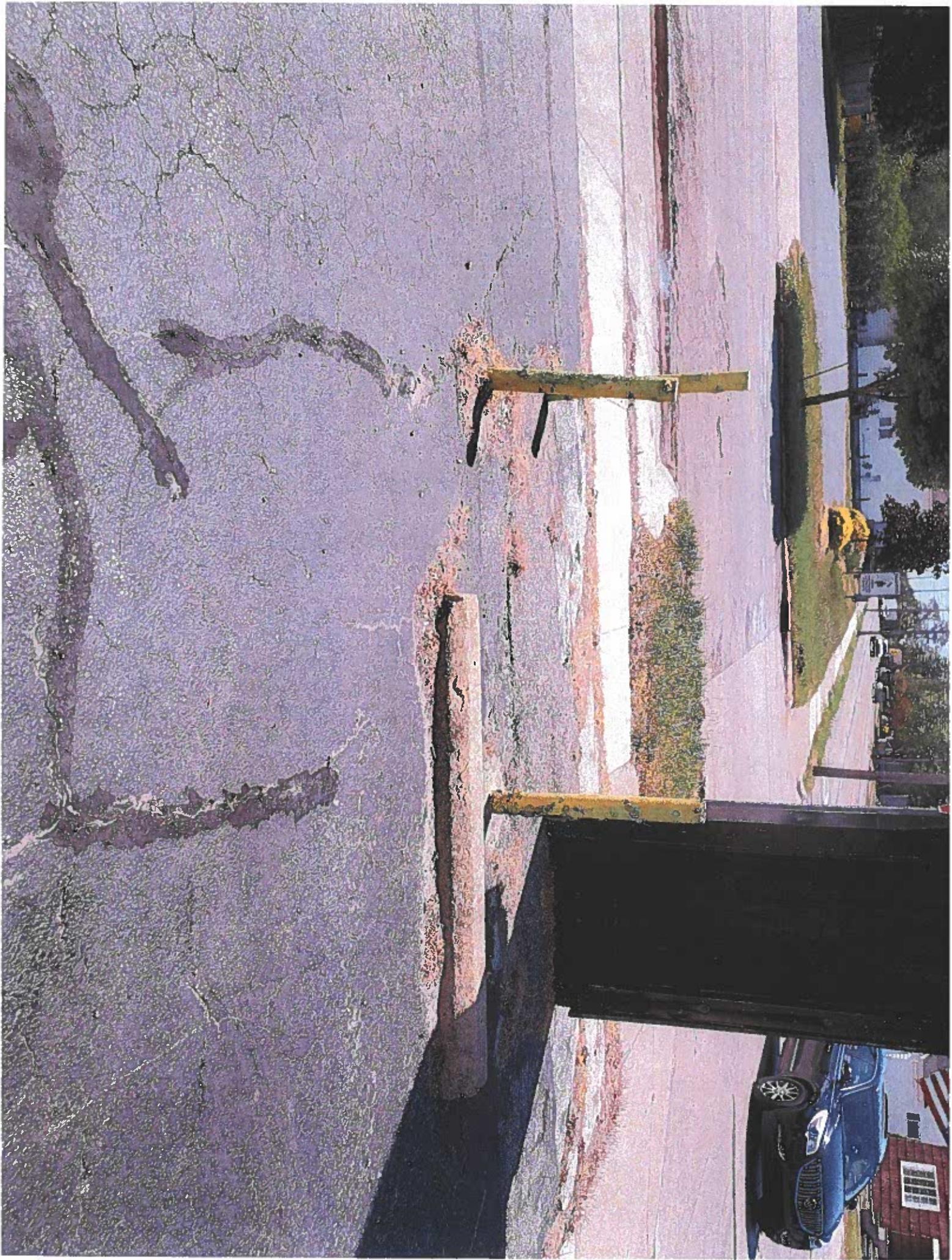
TOBACCO

Fine Cigars * Vapor * Pipes

WE ARE OPEN

COME ON IN





WILD WILD WEST

TOBACCO

Fine Cigars * Vapor * Pipes

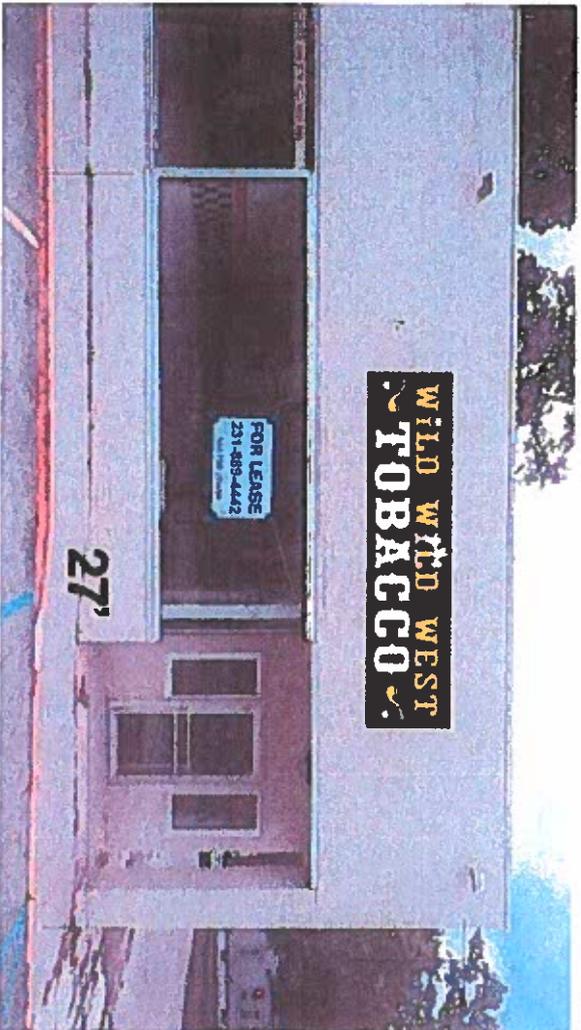
WE ARE OPEN

COME ON IN





**27' WIDE X 1.5 =
40.5 SQ FT ALLOWED**



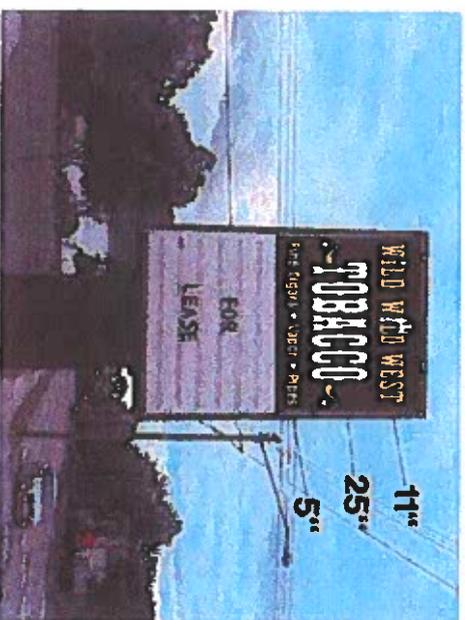
BLACK BOARD IS

36" X 152" = 38 SQ FT

**BLUE LED LIGHTS AROUND PERIMETER OF
OF SIGN TO CREATE A BLUE HALO AROUND SIGN**

FRONT LIT CHANNEL LETTERS

OK



APPLY VINYL TO EXISTING PAGE

both sides (?)



Planning & Zoning
 395 Third Street
 Manistee, MI 49660
 231.723.6041 (phone)
 231.398.3526 (fax)

Sign Permit Application

Please Print

Property Information			
Address: 537 CYPRESS ST		Parcel #	
Applicant Information			
Name of Owner or Lessee: WILCO WILCO WEST TOBACCO			
Address: FRANK SACO - OWNER			
Phone #: 231-360-8575		Cell#:	e-mail:
Name of Contractor (if applicable): D+D SIGNS, INC.			
Address: 2694 GARFIELD AVE. N SUITE 25 TRAVERSE CITY MI 49686			
Phone #: 231-941-0340		Cell#:	e-mail: danddsigns@juno.com
License Number: 38-3418097		Expiration Date:	
Project Information - check all that apply			
<input checked="" type="checkbox"/> New	<input type="checkbox"/> Repair		<input type="checkbox"/> Replacement
Type of Sign - check all that apply			
<input type="checkbox"/> Ground Mount	<input type="checkbox"/> *Marquee <small>(includes awning/canopy)</small>	<input type="checkbox"/> *Pole <small>(Only allowed on US 31)</small>	<input type="checkbox"/> Portable
<input type="checkbox"/> *Projecting	<input type="checkbox"/> *Suspended	<input checked="" type="checkbox"/> Wall	<input type="checkbox"/> *Requires Building Permit
Illumination - check all that apply			
<input checked="" type="checkbox"/> Internal <small>Existing Electrical Requires Electrical Permit</small>	<input type="checkbox"/> External		<input type="checkbox"/> Non-Illuminated
Building Dimensions			
Front: 27'	Side: 60'	Side:	Rear: 27'
Sign Information			
Sign Area: <small>(In Square Feet)</small> 36" x 152" 38 sq	Sign Height: <small>(grade to top of sign)</small> <small>Only Applies to Ground Mount and Pole Signs</small>	Grade Clearance: <small>Only Applies to Ground Mount Marquee, Pole, Projecting and Suspended Sign</small>	
Authorization			
I hereby certify that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent, and we agree to conform to all applicable laws of the State of Michigan. All information submitted on this application is accurate to the best of my knowledge.			
Applicant Signature: Dana Thompson, D+D SIGNS, INC.	Date: 12/6/19		
By signing the application the Applicant and Owner agree to comply with the requirements of Article 21 Signs of the City of Manistee Zoning Ordinance. <input type="checkbox"/> Sign Plan for project attached (permit cannot be issued without plan)			
Office Use Only			
Fee: <input type="checkbox"/> \$50.00		Receipt #	
Zoning District: R2	Notes: POLE SIGN (BRAND NEW), WALL SIGN W/ STRIP.		
Signature:	Date:		



Planning & Zoning Department

Sign Permit

70 Maple Street
Manistee, MI 49660
Phone 231.398.2805
Fax 231.723.1546
www.manisteemi.gov

Permit #: **PS19-016**
Issued: **12/13/2019**
Expires: **12/12/2020**

LOCATION	OWNER	APPLICANT
537 CYPRESS ST 51-654-703-07 R-2	8903 MAIDENS RD BEAR LAKE MI 49614	8903 MAIDENS RD BEAR LAKE MI 49614

Work Description:

38 Sq. Ft. Wall Sign

Stipulations:

Per the City of Manistee Zoning Ordinance:

All illuminated signs, including, halo, and electronic changable message displays, shall be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions, or turns the illumination off during daylight hours.

Permit Item	Work Type	Fee Basis	Item Total
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This permit is valid for a period of one year from the date issued.

Fee Total: \$0.00
Amount Paid: \$0.00
Balance Due: \$0.00

12/13/19

Official



Planning Commission

July 1, 2020

Planning Commission
70 Maple St.
Manistee, MI 49660

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commissioners,

The owners of 24 Arthur street are requesting a transfer of their SUP. Here is what the Zoning Ordinance has to say about transfers of SUP:

Taken from Article 18, Section 1801, Subsections:

H. Transfers. Prior to completion of construction related to a special use, the special Use permit, with any and all associated benefits, conditions and required security may be transferred to a new owner only upon the sale or transfer of the property in question and only upon the approval of the Planning Commission. Such approval shall not be unreasonably withheld if the Planning Commission is satisfied that the proposed owner has similar qualifications and capabilities as the approved owner. The responsibility for affecting the transfer shall be the original owner. The original owner, upon transferring the Special Use permit, shall advise the Zoning Administrator of said transfer in order to insure the continued validity of the permit, compliance with security, and other conditions. Following completion of construction and commencement of the special use, the special use permit shall run with the land, subject to Section 1801, I, 4, pertaining to abandonment.

I. Expiration. A Special Use permit shall be valid for as long as the approved use continues in accordance with the terms and conditions of the approved permit. The Special Use permit will expire on the occurrence of one or more of the following conditions:

1. If replaced or superseded by a subsequent permitted use or Special Use permit.
2. If the applicant requests the rescinding of the Special Use permit.
3. If a condition of approval included stipulation to expire the Special Use permit by a certain date.
4. If the use is abandoned, moved or vacated for a period of one year.

Sincerely,

Mike Szokola
Manistee County Planner



SPECIAL USE PERMIT

CITY OF MANISTEE
395 Third Street
Manistee, Michigan 49660

This SPECIAL USE PERMIT, herein after referred to as the permit, is granted pursuant to the authority granted in Article 18: Standards and Requirements for Special Uses, of the Manistee City Zoning Ordinance, effective March 27, 2006.

Name of Property Owner/Permit Holder: **Urban Roots Detroit LLC**
Mailing Address: **24 Arthur St.**
Manistee, MI 49660

Description of Property affected by Special Use Permit: **Parcel #51-146-709-09**

AMENDED MAP OF ENGELMANN'S ADD S 10 FT OF LOT 38 & LOT 39, EXC PM RR R/W, ALSO COM AT SE COR OF LOT 39, TH W 52 FT, TH S ALG RR R/W TO ARTHUR ST, TH NE'LY TO POB, BEING VAC PT OF QUINCY ST L213 P248 BLOCK 2 ____ P.ADDR. 24 ARTHUR ST [(SALE(78) 1362 0565 (98) 105 1683 0003 (99) 500 1715 0774

Description of Special Use Granted, as Permitted in Article #18
Section #1851 Marihuana Facilities

Special Use Permit Application **#PZ19-028**
Approved by the Planning Commission on **September 19, 2019**

PERMIT CONDITIONS AND REQUIREMENTS:

This permit is issued, subject to the following conditions and/or requirements as contained in Article 18, Section 1855:

CONDITIONS:

- ❖ SUP valid for 2 years as determined by Planning Commission.
- ❖ If parcel is sold the Special Use Permit must go with the parcel.
- ❖ All work must be completed as required.
- ❖ Site must be developed to plan specifications.
- ❖ Existing pole signs must be removed.
- ❖ All site plans using the word "proposed" must be changed to "install."
- ❖ Sites with parking space changes must change parking calculations and resubmit for approval to the Planning Dept. as a non-substantive change.

DATE OF APPROVAL: 9/19/19

CITY OF MANISTEE

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

Michael Szokola
Michael Szokola Date
Manistee County Planner I

On June 22 2020, before me, a Notary Public in and for said County, personally appeared Michael Szokola to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his free act and deed.

Tiffany Mackey
Notary Public - State of Michigan
County of Manistee
Notary's My commission expires 08/04/2025
Stamp
(Notary's name, county, acting in County,
and Date Commission expires)

Tiffany Mackey
Notary's Signature

ACKNOWLEDGMENT & RECEIPT OF PERMIT

I (we) the undersign do hereby certify that I am (we are) the person(s) listed above as the special use permit holders or their authorized legal representative. I (we) do further certify that I (we) have read, understand and agree to comply with all of the requirements and conditions of this permit, as listed above and in the Manistee City Zoning Ordinance.

STATE OF MICHIGAN)
) SS.
COUNTY OF MANISTEE)

Amera Hindo
Amera Hindo or Designated Representative Date
Melisa Bertram

On June 22 2020, before me, a Notary Public in and for said County, personally appeared Amera Hindo or Designated Representative, to me known to be the same person described in and who executed the within instrument, who acknowledged the same to be his/her free act and deed.

Tiffany Mackey
Notary Public - State of Michigan
County of Manistee
Notary's My commission expires 08/04/2025
Stamp
(Notary's name, county, acting in County,
and Date Commission expires)

Tiffany Mackey
Notary's Signature

AUTHORIZATION RESOLUTION

This is to certify that at a meeting of the Members of Urban Roots Detroit, LLC, was duly held on October 4, 2019, the following resolution was adopted:

RESOLVED: That Amera Hindo as Managing Member of Urban Roots Detroit, LLC, hereby agrees that Melisa Bertram is authorized to execute the Special Use Permit documents for the property located at 24/26 Arthur Street, Manistee, MI on behalf of the company.

IN WITNESS WHEREOF, all Members Urban Roots Detroit, LLC, have hereunto subscribed our names this October 4, 2019.



Amera Hindo



Planning Commission

July 1, 2020

Planning Commission
70 Maple St.
Manistee, MI 49660

Mike Szokola
Manistee County Planner
395 3rd St.
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Dear Planning Commission,

I am writing you today to discuss an issue that was brought to our attention through a verbal complaint. We felt that it should be brought to the attention of the Planning Commission and to allow you to decide if any further action should be taken.

The issue is that currently the Zoning Ordinance does not allow for building orientation to be considered when placing a new dwelling. This allows for, what some feel, is a break in character from the City's normal placement of homes. (see pictures) With no way to combat building orientation the Planning Department is left with only one option when a house wishes to be placed on a parcel in a unique way and that is to permit it.

The Planning Department has one question and an additional follow up question:

1. Does the Planning Commission feel this is an issue?
 - a. If so, do you wish to pass an amendment to address this issue?

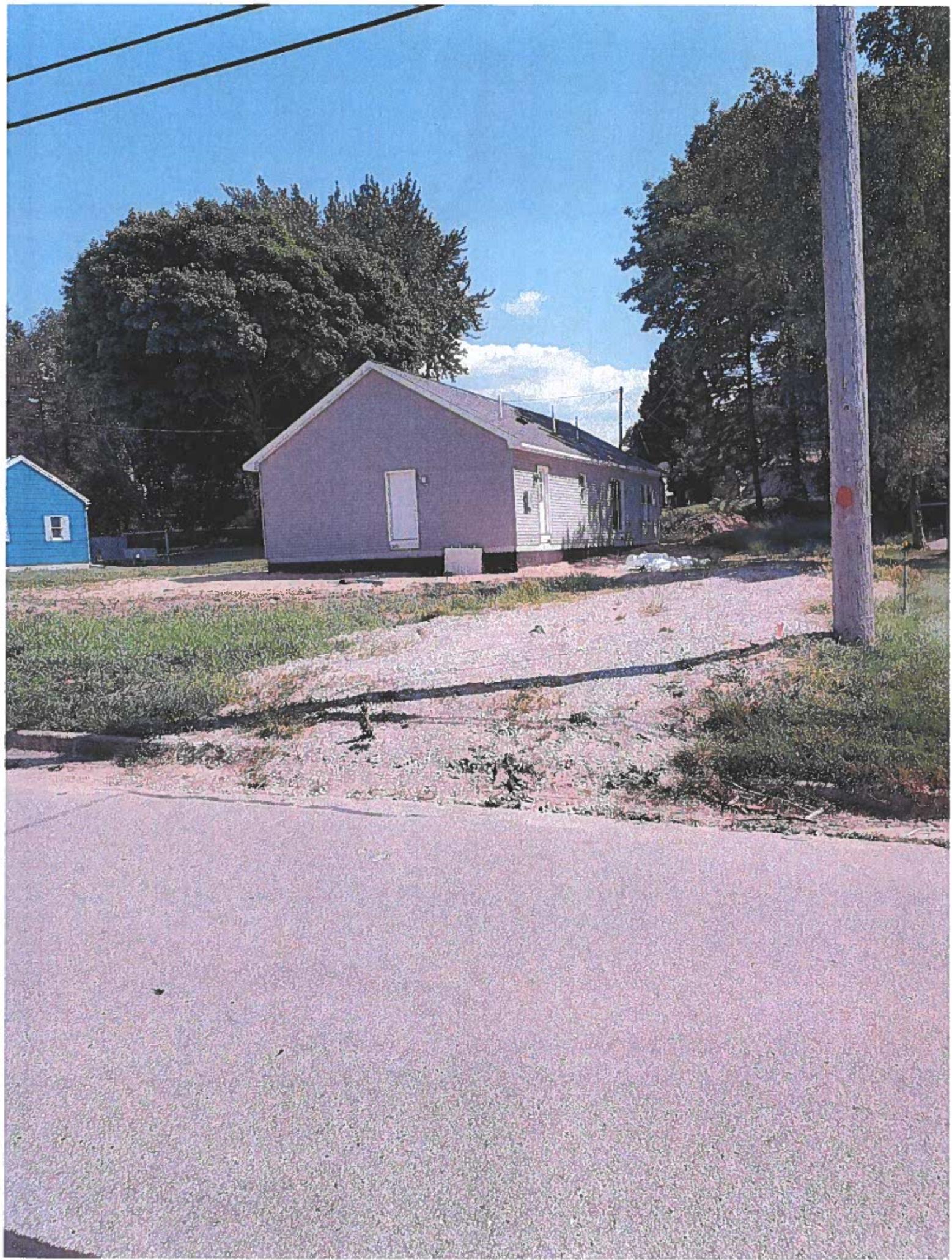
I appreciate you looking into this matter.

Sincerely,

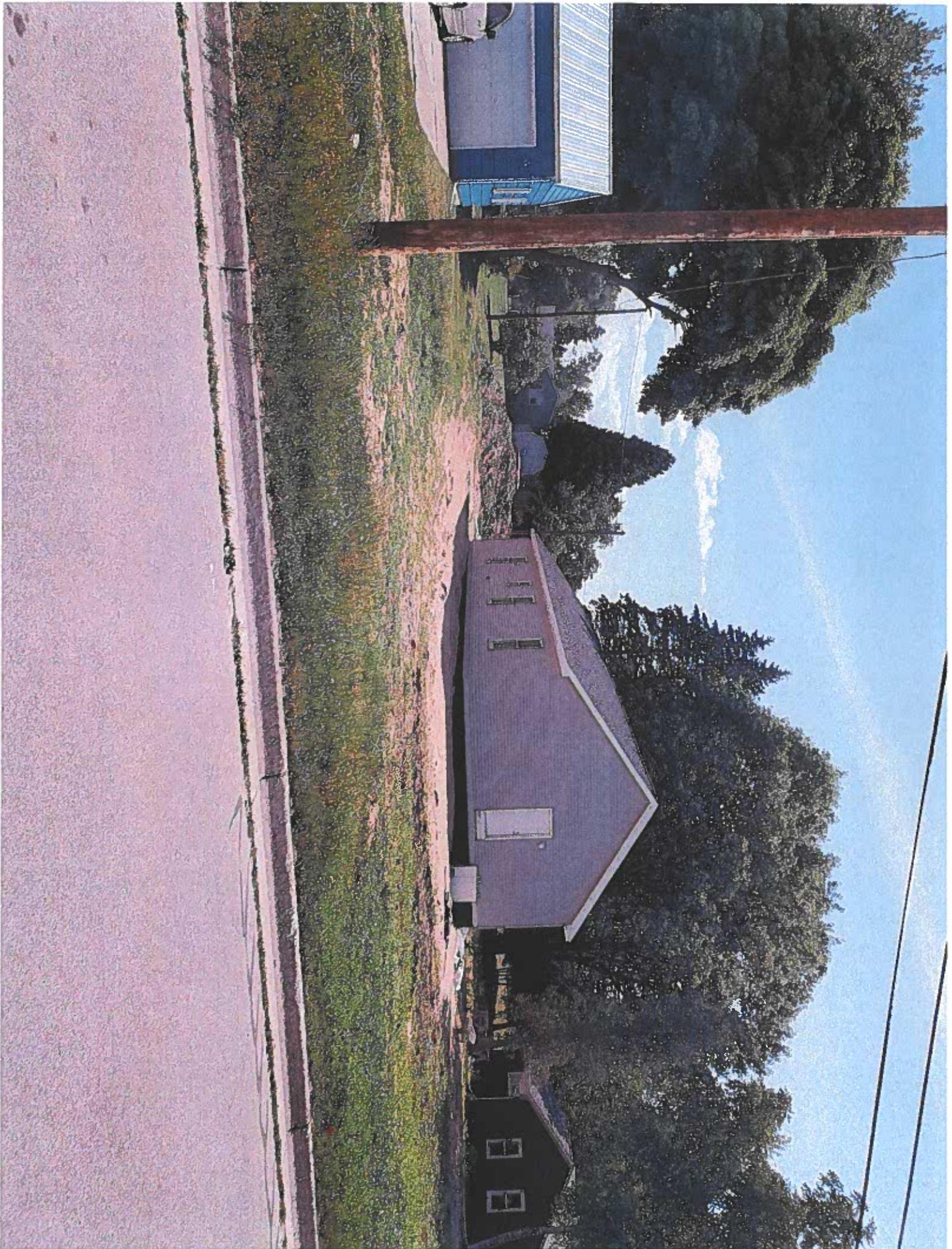
A handwritten signature in black ink, appearing to read "Mike Szokola".

Mike Szokola
Manistee County Planner













Planning Commission

June 9, 2020

City Council
70 Maple St.
Manistee, MI 49660

Mike Szokola
Manistee County Planner
395 3rd St
Manistee, MI 49660
231.723.6041
planning@manisteecountymi.gov
www.manisteemi.gov

Dear City Council Members,

This letter is to inform you that since the City of Manistee Planning Commission has not received any guidance in the terms of short-term rentals, at the Commission's request, I am sending you the following documents:

- Short-term rental presentation
- Village of Pentwater Short-term Rental Ordinance.

The Commission hopes that you add these documents, for discussion, to the agenda on your next work session. If you have questions or concerns feel free to reach out to me, Council Member Szymanski, or Planning Commission Chair, Mark Wittlieff.

Sincerely,

Mike Szokola
Manistee County Planner

City of Manistee Text Amendments, Master List.

Definitions:

DWELLING, LOWER STORY ACCESSORY: A dwelling, which is considered an accessory use, located in the same building as the principal commercial use and located on the lower story of the building.

Site Plan Review Committee: A committee consisting of representatives from the City Fire Department, City Police Department, City Planning Department, City DPW, and City Manager. The Site Plan Committee can be expanded when needed to include representatives from the City Attorney's office, City DDA, City HDC, City Building Department, Economic Development Office, and other outside agencies.

SECTION 1505 LOWER STORY DWELLINGS

A. Lower story dwellings are permitted in existing structures within the C-3 district. New structures proposing lower story dwellings shall be governed as a mixed use.

B. Lower story dwellings shall be accessed by a secure entrance dedicated for the exclusive use of building residents and guests.

C. No dwelling unit shall exceed a maximum of two (2) bedrooms.

D. Each dwelling unit shall have a minimum floor area of five hundred (500) square feet.

E. A basic site plan shall be required and reviewed by the Zoning Administrator per Section 2201, A.

F. Dwelling units shall not be located on the street level or basement except in those locations where resident privacy can be provided by building design, courtyards, topography or similar design; such as daylight or walkout dwelling units along the riverfront or into a secured and private side or rear yard.

G. At least the first 20 feet of depth at street level of the building shall be dedicated to a commercial use.

Article Five; General Provisions, Section 502, subsection D, subsubsection 2

e. Patios, built at grade, built no closer than 3 feet to the property line, not exceeding 200 square feet and not exceeding the Patios' "Maximum Lot Coverage" for the district in which it resides.

uuf



Planning Commission

June 9, 2020

City Council
70 Maple St.
Manistee, MI 49660

Dear City Council Members,

This memo is to request that you add dumpster enforcement to the next City Council Agenda. Staff has received many complaints from citizens regarding dumpsters not meeting the requirements of the Zoning Ordinance. The common excuse of grandfathering had prevented staff from enforcing on dumpsters. The City Attorney has recently come forward with this interpretation:

“...after considering the matter further it is my opinion that the issue of dumpster location, etc. is a regulatory matter not involving a building or structure and would not be subject to a defense of legal, nonconforming use. Consequently, we can proceed with enforcement through the zoning ordinance.”

- George Saylor, Attorney, City of Manistee

Staff has voiced concerns that the violations are so widespread that a plan needs to be put together to address the violations. Staff has proposed the following:

- Breaking the City of Manistee down into districts and moving through the districts systematically addressing concerns as documented or reported.
- Allow 18 months for current property owners to come into compliance, before enforcement takes place.
- Offer the Manistee News Advocate the opportunity to do a story on the upcoming dumpster and enclosure enforcement.

Staff has requested the following:

- A letter of support from City Council to the Planning Commission to move forward with enforcement.
- A proposed timetable from City Council to the Planning Commission on when they would like to start with enforcement.
- Ask for volunteers from City Council and the Planning Commission to do interviews for the story in favor of the enforcement/compliance.

my

Here are the current requirements from Section 506: Dumpsters and Enclosures:

SECTION 506 DUMPSTERS AND ENCLOSURES

Adequate refuse disposal facilities shall be required for all uses, except single-family and two-family residences and shall comply with the following regulations and requirements:

- A. Dumpsters shall not be located in the front yard setback. Any such dumpster shall have adequate vehicular access, shall not encroach on a required parking area, and shall not conflict with entrances to principal buildings. Unless otherwise approved by the Zoning Administrator, dumpsters shall be setback a minimum of ten (10) feet from any side or rear property line, and shall be located as far as practicable from any adjoining residential district.
- B. Dumpsters shall be placed on a concrete pad. The concrete pad should extend a minimum of three (3) feet in front of the dumpster enclosure.
- C. Any dumpsters on site shall be enclosed on four (4) sides with an opaque fence equipped with a lockable gate.
- D. The dumpster screening requirements may be waived upon finding that the unscreened dumpster will not be visible from adjoining property or from any public road, or upon finding that if the dumpster is visible from the adjoining property the impact will not be detrimental because of the size or location of the proposed dumpster or because of the nature of the adjoining use.
- E. This Section is not intended to require the screening of any dumpster used on a temporary basis during construction, remodeling or demolition of a building.
- F. The location and method of screening of dumpsters shall be shown on all site plans and shall be subject to the approval of the Planning Commission.
- G. Upon the recommendation of the Zoning Administrator, the Planning Commission may approve a site plan that does not comply the requirements of this section where local conditions make full compliance impossible.

Given the current economic situation, and the fact that enforcement is never a popular thing, Staff would like the City to appear to be as unified as possible moving forward with this needed enforcement. I request that City Council add this to their Agenda as an Agenda item and move to adopt all of Staff's requests while offering any suggestions or insight they wish for the Planning Commission to consider.

Sincerely,



Mark Wittlieff
Planning Commission Chair
City of Manistee

B R i
Beckett&Raeder

*Landscape Architecture
Planning, Engineering &
Environmental Services*

June 22, 2020

Regarding: Charter Township of Filer Master Plan Public Hearing

To whom it may concern:

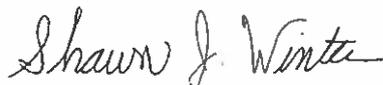
This letter is to provide to your office notification that the Filer Township Planning Commission will hold a public hearing to received comments from the public on a proposed, updated master plan pursuant to Public Act 33 Of 2008, the Michigan Planning Enabling Act.

The public hearing is scheduled for Monday, July 13, 2020 at 6:30 pm at the Filer Township Hall located at 2505 Filer City Rd, Manistee, MI 49660, after which the Planning Commission may make a recommendation to the Township Board of Trustees to adopt the plan. We would like to invite your organization to attend this hearing and comment on the document, which may be viewed at the following locations:

- Township Website: www.filertownship.com
- Filer Township Hall: 2505 Filer City Rd, Manistee, MI 49660 during regular hours of operation of the Township
- Manistee County Planning Department, 395 Third Street, Manistee, MI 49660 during regular business hours of the department
- Mika Myers, PLC, attorneys for the Township, 414 Water Street, Manistee, MI 49660 during regular business hours.

If you are unable to attend the public hearing, you may send your correspondence via mail, email, or phone to me using the contact information provided below.

Regards,



Shawn Winter, Professional Planner
Beckett & Raeder, Inc. | 148 East Front Street | Traverse City, MI 49684
231.944.5076 | swinter@bria2.com

Enclosure: List of organizations and entities receiving this notification

Beckett & Raeder, Inc.
535 West William, Suite 101
Ann Arbor, MI 48103

734 663.2622 ph
734 663.6759 fx

www.bria2.com

Petoskey Office
113 Howard St
Petoskey, MI 49770

231.347.2523 ph
231 347 2524 fx

Traverse City Office
921 West 11th St., Suite 2E
Traverse City, MI 49684

231.933.8400 ph
231 944 1709 fx

Toledo
419.242.3428 ph

i
initiative

Charter Township of Filer Master Plan Notification List

City of Manistee Planning Department
City of Manistee Planning Commission
Manistee Downtown Development Authority
Filer Township Downtown Development Authority
Village of Eastlake
Grant Township Planning Commission
Free Soil Township Board
Stronach Township Planning Commission
Networks Northwest
Manistee Township Planning Commission
Manistee County Planning Commission
Manistee County Planning Department
Manistee County Board of Commissioners
Manistee Area Public Schools
Manistee Conservation District
Marquette Rail LLC
Manistee County Road Commission
Michigan Department of Transportation
Michigan Department of Transportation – Traverse City TSC
Consumers Energy Company
Great Lakes Energy
DTE Energy

Mike Szokola

From: Thad Taylor <ttaylor@manisteemi.gov>
Sent: Monday, June 15, 2020 7:58 AM
To: Mike Szokola; Rob Carson, AICP Manistee County Planning Director
Subject: FW: short term rentals

[WARNING: External Message]

Gentlemen:

At the request of the Mayor, please forward to the Planning Commission. I would, however I don't have their email list. Thanks.

Thad N. Taylor | City Manager

City of Manistee | Manager's Office
70 Maple Street | Manistee, MI 49660 | p: 231-398-2801 | f: 231-723-1546
ttaylor@manisteemi.gov | www.manisteemi.gov

From: Roger Zielinski <RZielinski@manisteemi.gov>
Sent: Sunday, June 14, 2020 9:18 AM
To: Thad Taylor <ttaylor@manisteemi.gov>
Subject: Fwd: short term rentals

F Y I

Roger Zielinski
Mayor
City of Manistee

Begin forwarded message:

From: Roger Zielinski <RZielinski@manisteemi.gov>
Date: June 14, 2020 at 9:16:14 AM EDT
To: kerry gavigan <kblinds@hotmail.com>
Subject: Re: short term rentals

Good morning Kerry. Thank you for taking the time to bring up a very good point. I personally did not know This was happening. I will make sure that Your concerns are made available To City Council and the planning commission. Thanks again have a great day and be safe out there.

Roger Zielinski
Mayor
City of Manistee

On Jun 14, 2020, at 9:04 AM, kerry gavigan <kblinds@hotmail.com> wrote:

Hi Roger, thought I'd send this to you since I know you and have never meet my council member. Not sure what direction you are thinking on going with regards to short term rentals. Has anyone brought up the problem we have every spring when many of the short term rentals that have rented out to people cheaply for the winter are all forced out to look for full time places? Happens every spring, in the fall people move in to these nice places and rent for less than they can in full time rentals that remain empty till spring, then the rush is on and every this fills up and there is no place for them to go. Many places have ordnances that rentals must be either full time or short term, not both.

Hope all is well

Kerry

Sent from [Mail](#) for Windows 10