

MANISTEE CITY PLANNING COMMISSION

Meeting of Thursday, December 6, 2012
7:00 p.m. - Council Chambers, City Hall, 70 Maple Street,
Manistee, Michigan

AGENDA

I Call to Order

II Roll Call

III Approval of Agenda

At this time the Planning Commission can take action to approve the December 6, 2012 Agenda.

IV Approval of Minutes

At this time Planning Commission can take action to approve the November 1, 2012 meeting Minutes.

V Public Hearing

Z12-09 Zoning Amendment (number of Alternate Members on the ZBA)

The Zoning Amendment Z12-09 has been prepared to amend Section 2501 Membership, Terms of Office (last sentence in paragraph 3) to reflect the language in the Zoning Enabling Act of 2006 that says a legislative body may appoint to the Zoning Board of Appeals **not more than** two alternate members of the same term as regular members...

At this time the Chair shall open the hearing
City Staff shall present the proposed amendment
The hearing will be opened for public comments
The hearing will be closed

VI Public Comment on Agenda related items

VII New Business

PC-2012-09 Parcel Split & Combination Request Mike Janowiak and Robert & Traci Haase

A request has been received from Mike Janowiak who owns the property at 10 Duffy Street (51-144-706-07) and Robert and Traci Haase who own the property at 241 Grove Street for a parcel split and combination. The request is to split the south 40 feet of lots 8 and 9, Block 3 of Duffys Addition from parcel 51-144-706-07 and combine it with parcel 51-144-706-15. Review of the request shows compliance with the Zoning Ordinance.

At this time Planning Commission could take action to recommend to City Council approval of the request from Mike Janowiak and Robert and Traci Haase to split the south 40 feet of lots 8 and 9, Block 3 of Duffys Addition from parcel 51-144-706-07 and combine it with parcel 51-144-706-15.

Z12-09 Zoning Amendment (number of Alternate Members on the ZBA)

A Public Hearing was held earlier for proposed Zoning Amendment Z12-09 which would amend Section 2501 Membership, Terms of Office (last sentence in paragraph 3) to reflect the language in the Zoning Enabling Act of 2006 that says a legislative body may appoint to the Zoning Board of Appeals *not more than* two alternate members of the same term as regular members...

At this time the Planning Commission could take action to recommend to City Council the adoption of Z12-09 Zoning Amendment as it relates to the alternate members of the Zoning Board of Appeals.

Election of Officers

According to the By-Laws of the City of Manistee Planning Commission their annual election of Officers is held at the December Meeting for the following year.

At this time the meeting will be turned over to Jon Rose who will ask for nominations.

Chair

The Planning Commission will select a Chair for 2013.

Vice-Chair

The Planning Commission will select a Vice Chair for 2013.

Secretary

The Planning Commission will select a Secretary for 2013.

Appointment of a Recording Secretary 2013

At this time the Planning Commission Secretary appointed for 2013 may appoint a Recording Secretary for 2013.

VIII Old Business

IX Public Comments and Communications

At this time the Chair will ask if there are any public comments.

X Correspondence

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

XI Staff/Sub-Committee Reports

At this time the Chair will ask Staff for their report.

At this time the Chair will ask if any of the Sub-Committees have anything to report.

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

November 1, 2012

A meeting of the Manistee City Planning Commission was held on Thursday, November 1, 2012 at 7pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

Meeting was called to order at 7:00 pm by Chair Yoder

Roll Call:

Members Present: Maureen Barry, Bill Dean, Ray Fortier, Eric Gustad, Marlene McBride, Mark Wittlief, Roger Yoder

Members Absent: Dave Crockett, One Vacancy

Others: Jon R. Rose (Community Development Director), Denise Blakeslee (Planning & Zoning) and others

APPROVAL OF AGENDA

Motion by Ray Fortier, seconded by Eric Gustad that the agenda be approved as prepared.

With a Roll Call vote this motion passed 7 to 0.

Yes: Barry, Dean, Fortier, McBride, Gustad, Wittlief, Yoder
No: None

APPROVAL OF MINUTES

Motion by Eric Gustad, seconded by Maureen Barry that the minutes of the September 6, 2012 Planning Commission Meeting be approved as prepared.

The October 4, 2012 Meeting was cancelled.

With a Roll Call vote this motion passed 7 to 0.

Yes: Gustad, Dean, Fortier, Barry, McBride, Wittlief, Yoder
No: None

PUBLIC HEARING

None

PUBLIC COMMENT ON AGENDA RELATED ITEMS

None

NEW BUSINESS

Commissioner Wittlief declared a Conflict of Interest as one of the applicants for the Parcel Split and Combination Request. Commissioner Wittlief removed himself to the audience.

PC-2012-08 Barry & Carmen Luedke/Mark & Dawn Wittlief – Parcel Split and Combination

A request has been received from Barry & Carmen Luedke owner of parcel 51-670-717-01 to split the east 35 feet off the parcel which would then be combined with parcel 51-670-715-15 owned by Mark and Dawn Wittlief. Review of the request shows that the requirements of the Zoning Ordinance would be met if the split were approved.

Jon Rose discussed the request with the Commission.

MOTION by Ray Fortier, seconded by Bill Dean that the Planning Commission makes a recommendation to City Council to approve the request from Barry & Carmen Luedke and Mark and Dawn Wittlief to split the east 35 feet off from Parcel 51-670-717-01 and combine it with parcel 51-670-715-15.

With a Roll Call vote this motion passed 6 to 0 with Commissioner Wittlief Abstaining due to a Conflict of Interest.

Yes: Gustad, McBride, Dean, Fortier, Barry, Yoder

No: None

Commissioner Wittlief seated himself back on the Commission.

Meeting/Worksession Dates 2013

Staff has prepared a list of Meeting/Worksession dates for 2013 for the Commission to review.

MOTION by Eric Gustad, seconded by Mark Wittlief that the Planning Commission schedules their Meeting and Worksession dates for 2013 as follows:

MEETINGS 7:00 P.M.

January 3, 2013
February 7, 2013
March 7, 2013
April 4, 2013
May 2, 2013
June 6, 2013
July 11, 2013*
August 1, 2013
September 5, 2013
October 3, 2013
November 7, 2013
December 5, 2013

WORKSESSIONS 7:00 P.M.

January 17, 2013
February 21, 2013
March 21, 2013
April 18, 2013
May 16, 2013
No Worksession
No Worksession
No Worksession
September 19, 2013
October 17, 2013
November 21, 2013
No Worksession

*Changed due to holiday

With a Roll Call vote this motion passed 7 to 0.

Yes: McBride, Dean, Fortier, Gustad, Barry, Wittlief, Yoder
No: None

Chapter 1220 Planning Commission (Code of Ordinance)

The Michigan Planning Enabling Act of 2008 allowed City Planning Commissions to consist of 5, 7 or 9 members. Chairman Yoder read a letter from Linda Albee who decided not to reapply to the Planning Commission, Eric Gustad is running unopposed for the Seventh District Council Seat which will result in two vacancies.

Staff discussed with the Commission the cost of maintaining Master Citizen Planner Certification; budgeting for training; packet costs; seating for Commissioners. The Commissioners were asked if they would like to recommend to City Council to reduce the number of members from nine to seven or to maintain the status quo of nine members.

MOTION by Eric Gustad, seconded by Marlene McBride that the Planning Commission recommends to City Council to amend Chapter 1220 Planning Commission of the Code of Ordinance by reducing the number of Planning Commissioners from nine to seven.

With a Roll Call vote this motion passed 7 to 0.

Yes: Dean, Fortier, Barry, McBride, Gustad, Wittlief, Yoder

No: None

Number of Alternate Members – Zoning Board of Appeals

Staff reviewed the Zoning Ordinance relating to the membership for the Zoning Board of Appeals and noted a conflict with the language in the Zoning Enabling Act.

The Zoning Enabling Act of 2006 says that the legislative body may appoint to the Zoning Board of Appeals **not more than** 2 alternate members for the same term as regular members...

While reviewing Article 25 Zoning Board of Appeals, Section 2501 Membership, Terms of Office we found that the ordinance reads:

...With approval of Council, the Mayor shall appoint **at least** (2) alternate members, who shall serve for three (3) years.

MOTION by Ray Fortier, seconded by Mark Wittlief that staff be directed to draft an ordinance amendment that would change the Article 25, Section 2501 Membership, Terms of Office to read:

...With approval of Council, the Mayor shall appoint **not more than** (2) alternate members, who shall serve for three (3) years.

With a Roll Call vote this motion passed 7 to 0.

Yes: Wittlief, Dean, Gustad, Fortier, Barry, McBride, Yoder

No: None

METRO Act Permit Application

The City Clerk has forwarded a copy of a METRO Act Application from Lynx Network Group as required by ordinance. There is no requirement that the Commission approve the application.

Jon Rose discussed the METRO Act with the Commission, no action was taken.

Tasks for 2013

There are several projects for the Planning Commission to begin work on including the Master Plan Update. Each Commissioner was asked to list 3 to 5 things that they like best about the community; three to five things they don't like about the community; and three to five things they would like to see changed. They are to bring the list with them to the next Planning Commission Meeting for discussion.

OLD BUSINESS

None

PUBLIC COMMENTS AND COMMUNICATIONS

None

CORRESPONDENCE

Commissioners were sent a copy of the Stronach Township Master Plan. The Planning Commission had no comment.

STAFF/SUB-COMMITTEE REPORTS

Jon Rose, Community Development Director – spoke to the Commission about Conflicts of Interest.

Denise Blakeslee, Planning & Zoning – will be out of town on November 15th and at this time there are not items for the November Worksession.

MOTION by Maureen Barry, seconded by Ray Fortier to cancel the November 15, 2012 Worksession.

With a Roll Call vote this motion passed 7 to 0.

Yes: Gustad, Dean, Fortier, Barry, McBride, Wittlief, Yoder
No: None

The Planning Commission Worksession on November 15, 2012 HAS BEEN CANCELLED

The next regular meeting of the Planning Commission will be held on Thursday, December 6, 2012.

ADJOURNMENT

Motion by Ray Fortier, seconded by Maureen Barry that the meeting be adjourned. MOTION PASSED UNANIMOUSLY.

Meeting adjourned at 7:35 pm

MANISTEE PLANNING COMMISSION

Denise J. Blakeslee, Recording Secretary



Planning & Zoning, City Hall
 70 Maple Street, P.O. Box 358,
 Manistee, MI 49660
 231.398.2806 (phone)
 231.723.1546 (fax)

Parcel Split Request Form

Please Print

Parcel Combination Requirements	
<p>Any Split of a Parcel within the City of Manistee requires review and approval of the Planning Commission and City Council. Even if the Parcel contains platted lots approval is still required. Requests are reviewed for compliance with the Zoning Ordinance. If a request meets all of the requirements of the Zoning Ordinance it will be forwarded to the City Planning Commission. The Planning Commission reviews the request and makes recommendation to the City Council. Notification will be mailed to applicants regarding City Council's determination. Requests must include the fee of \$100.00 for the first split and \$50.00 for each additional split. Incomplete requests will be returned to the applicant. <i>Must be submitted 15 days prior to the Planning Commission meeting to be placed on the agenda.</i></p>	
<p>To update their property taxes the property owner should send a copy of the determination to:</p> <p style="text-align: center;">Equalization Department County Courthouse 415 Third Street Manistee, MI 49660</p>	
<p>If the parcel involves a principal residence or homestead it is up to the applicant to notify the City Assessor at (231) 398-2802 to update their Homestead Exemption.</p>	
Property Information	
Address: <u>10 Duffy St</u>	Parcel # <u>51-144-706-07</u>
Applicant Information	
Name of Owner: <u>Mike Janowiak</u>	
Address: <u>600 N Franklin St. Ludington, MI 49431</u>	
Phone #: <u>231-845-7446</u>	Cell#: <u>231-690-2026</u> e-mail: <u>mike@premier247.com</u>
Project Information	
Reason for Request: <u>Sale of property split</u>	
Site Plan Requirements	
<p>The applicant is responsible to provide a survey and legal descriptions of the proposed parcels (unless waived by the Zoning Administrator). If buildings or structures are located on a parcel a site plan showing set-backs is required. Requests are reviewed for compliance with the Zoning Ordinance. The Zoning Administrator reserves the right to require additional information necessary to meet the requirements of the Zoning Ordinance.</p>	
Authorization	
<p>By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms that the information included in this application is correct.</p>	
Signature: <u>[Signature]</u> Date: <u>10/24/12</u>	
<input checked="" type="checkbox"/> Fee of \$100.00 for the first split and \$50.00 for each additional split enclosed and Site Plan for project attached (permit cannot be issued without site plan)	
Office Use Only	
Fee: <input type="checkbox"/> \$50.00	Receipt # <u>27080</u>
Notes:	
Signature: _____ Date: _____	

[Signature]



Planning & Zoning, City Hall
 70 Maple Street, P.O. Box 358,
 Manistee, MI 49660
 231.398.2806 (phone)
 231.723.1546 (fax)

Parcel Combination Request Form

Please Print

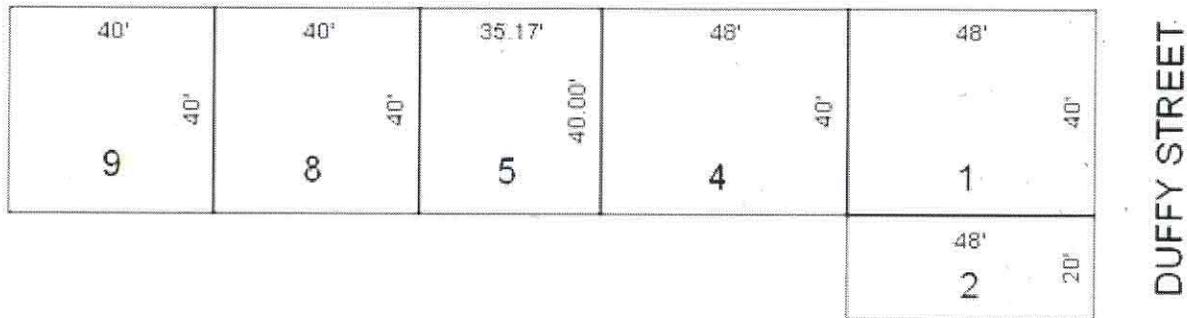
Parcel Combination Requirements		
Any Combination of Parcels within the City of Manistee requires approval of the Zoning Administrator. Requests are reviewed for compliance with the Zoning Ordinance. If a request meets all the requirements the Zoning Administrator will approve it. Incomplete requests will be returned to the applicant for completion.		
To update their property taxes the property owner should send a copy of the determination to: <div style="text-align: center;"> Equalization Department County Courthouse 415 Third Street Manistee, MI 49660 </div>		
If the parcel involves a principal residence or homestead it is up to the applicant to notify the City Assessor at (231) 398-2802 to update their Homestead Exemption.		
Property Information		
Address: 241 Grove Street	Parcel #'s 51-144-706-15 51-144-706-07 (South 40 ft Lots 8 & 9)	
Applicant Information		
Name of Owner: Robert & Traci Haase		
Address: 241 Grove Street, Manistee, MI 49660		
Phone #: 398-0286	Cell#:	e-mail:
Project Information		
Reason for Request: Split and Combination Request Joint with Mike Janowiak South 40 feet lots 8 & 9		
Site Plan Requirements		
Applicant is to attach a sketch or site plan of all parcels involved in the request and furnish a legal description for the new parcel. The Zoning Administrator reserves the right to require a survey and legal description for the new parcel.		
Authorization		
By signing the application the applicant is authorizing City Staff permission to make site inspections as necessary. The undersigned affirms that the information included in this application is correct.		
Signature: <u>Robert L Haase</u>		Date: <u>25 Oct 12</u>
<input type="checkbox"/> \$50.00 Fee enclosed and Site Plan for project attached (permit cannot be issued without site plan)		
Office Use Only		
Fee: <input type="checkbox"/> \$50.00	Receipt # <u>27086</u>	
Notes:		
Signature: _____		Date: _____

Image/Sketch for Parcel: 51-144-706-07

City of Manistee

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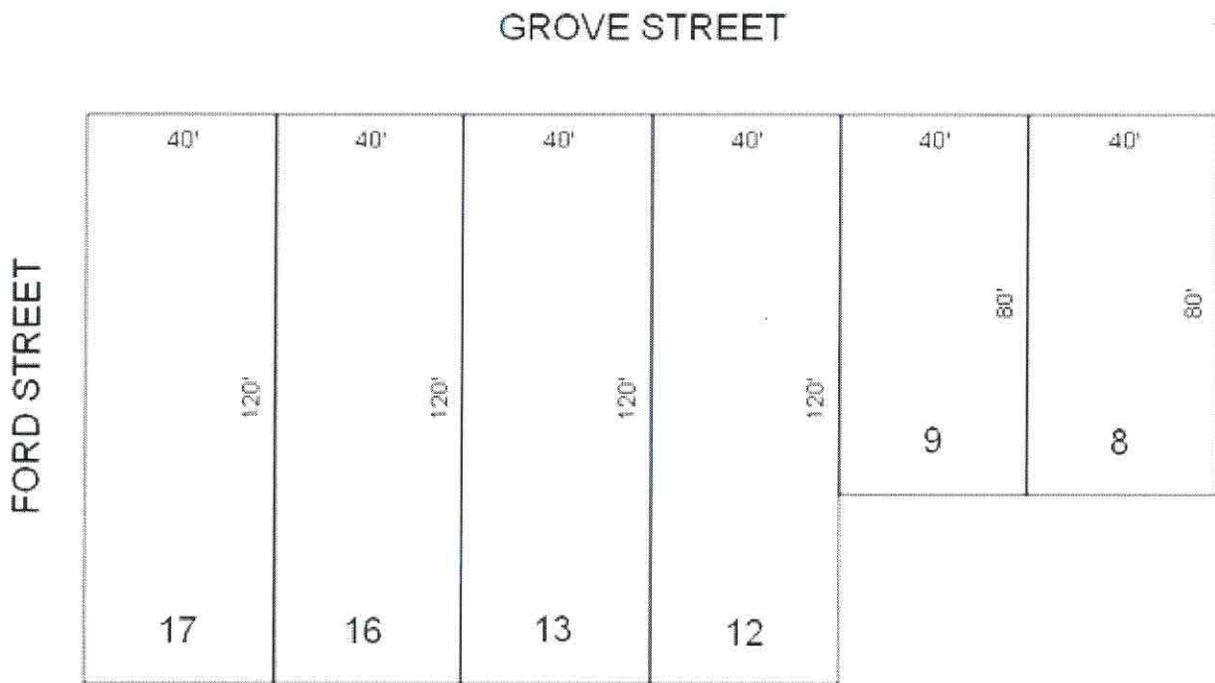
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Image/Sketch for Parcel: 51-144-706-15

City of Manistee

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Hasse/Janwoiak Split and Combination



Aerial Photo Date: Apr., 2008
© City of Manistee 2011



1 inch = 56 feet

Legend	
	Janowiak
	Hasse