

APPROVED
Eveline Township Planning Commission Meeting Minutes
Regular Meeting
Eveline Township Hall
8525 Ferry Road
East Jordan, MI 49727
Charlevoix County
August 7, 2024
7:00 P.M.

- 1) Call to Order:** The meeting was called to order at 7:00 P.M. with the Pledge of Allegiance at the Eveline Township Hall by Chairman McGinn.

Commissioners present: Eric Beishlag, Corey Wells, Lorraine Sims, Prudence Kurtz and Kelly McGinn. Also present: Recording Secretary Sandi Whiteford and Zoning Administrator Will Trute as well as residents Mary Felton, Mark Felton, Steve Jakobowski and Kiersten Stark from Charlevoix County Planning Department.

- 2) Agenda:** Commissioner Wells made a motion to accept the agenda as presented. Motion supported by Commissioner Beishlag. Motion carried.
- 3) Minutes – July 3, 2024:** Commissioner Kurtz made a motion to approve the July 3, 2024 minutes as written. Motion supported by Commissioner Beishlag. Motion approved.
- 4) Waterfront Greenbelt Landscaping Review, 9485 Pine Lake Road, 006-536-001-00:** Zoning Administrator Trute stated that the greenbelt area has been hydroseeded with fescue no mow. A good faith effort has been put forth by planting trees and removing 15' by 2' area of the walkway which had violated the impervious surface regulations. However, the property owner would mow the greenbelt grasses up to twice per month. Discussion followed regarding mowing of the greenbelt area. Commissioner Beishlag stated that mowing even once a month would defeat the purpose of preventing runoff. Mowing increases runoff. Discussion of stipulations followed. Commissioner Wells made a motion to approve the plans for the waterfront greenbelt with stipulations of no mowing as well as the property being subject to periodic inspection. Commissioner Beishlag supported the motion. Motion Approved.
- 5) Request Change to Whiting Park Landscaping – Aaron Nordman, Performance Engineering**
Aaron Nordman requested that the Planning Commission consider planting trees instead of installing a fence on the property boundary between the boat launch and neighbor property as the grade has produced far fewer lighting issues on the neighboring property. Commissioners reviewed the presented plans. Commissioner Wells stated that more green would be a better visual instead of fence that requires maintenance. Commissioner Beishlag made a motion to approve the changes in the landscaping plan as currently presented. Motion supported by Commissioner Sims. Motion approved.

- 6) Zoning Administrator:** Zoning Administrator Trute provided a zoning activity report. He presented information regarding a porous pavement option that would not be considered in the calculations of impervious surfaces. Mr. Trute asked the Planning Commission to consider the new material as a viable option.
- 7) Public Hearing - Rezone R1 to Rural Residential - 006-128-014-00, 9565 Phelps Road– Nathan & Kelsey Allspach**
- I. **Introduction of the case and main points by the Chairman** –Zoning Administrator Trute stated the Allspach property, on Phelps Road is an 8.5-acre parcel that was included in the previous re-zone. The Rural Residential re-zone would allow the Allspach’s to build an additional pole barn/greenhouse to accommodate activities on their property.
 - II. **Chairperson opens the public hearing:** Chairman McGinn opened the public hearing at 7:55 p.m.
 - III. **Applicant states cause:** Mr. Allspach stated that the family would like to have space for a work shop and a greenhouse for Mrs. Allspach to grow flowers and garden items. Under the current zoning of R1 the ordinance does not allow this outbuilding.
 - IV. **Hearing is open for public comment – Please state your name for the record:** Neighbors attending stated support for the re-zone.
 - V. **Planning Commission acknowledges correspondence:** Mr. Allspach stated he has a letter of support signed by neighbors
 - VI. **Applicant rebuttal:** None presented.
 - VII. **Public Hearing is closed:** Chairman McGinn closed the public hearing at 8:07 p.m.
 - VIII. **Township staff or the Township Planner summarizes finding:** Commissioner Beishlag explained the blanket zoning change that occurred several years ago that re-zoned properties from RR to R1 zoning designation.
 - IX. **Board publicly discusses and may ask questions of staff, the applicant or the audience:** The Commissioners discussed the previous re-zone and the effect on the properties involved.
 - X. **Planning Commission deliberates and may or may not reach a decision at this time:** The Commissioners prepared to review the considerations in the ordinance.
 - XI. **Is the proposed rezoning consistent with the Eveline Township Master Plan?** The Commissioners agreed that the re-zone is consistent with the Township Master Plan.

- XII. **Is the proposed rezoning reasonably consistent with surrounding uses?** The Commissioners agreed that the proposed re-zone is consistent with surrounding uses.
- XIII. **Will there be an adverse physical impact on surrounding properties?** The Commissioners agreed that the proposed re-zone will not have an adverse physical impact on surrounding uses.
- XIV. **Will there be an adverse effect on property values in the adjacent area?** The Commissioners agreed that the proposed re-zone will not have an adverse effect on property values in the adjacent area.
- XV. **Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?** The Commissioners agreed that the re-zone fits with the current Township Master Plan.
- XVI. **Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?** The Commissioners agreed that the re-zone will not create a deterrent to the improvement or development of adjacent property in accord with existing regulations.
- XVII. **Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?** The Commissioners agreed that rezoning would not grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public
- XVIII. **Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications?** The Commissioners agreed that the property in question cannot be used in accordance with its present zoning classification of R1.
- XIX. **Is the rezoning in conflict with the planned use for the property as reflected in the master plan?** The Commissioners agreed that the rezoning is not in conflict with the planned use of the property as reflected in the Township Master Plan.
- XX. **Is the site served by adequate public facilities or is the petitioner able to provide them?** The Commissioners agreed that the property is served with adequate public facilities.
- XXI. **Are there sites nearby already properly zoned that can be used for the intended purposes?** The Commissioners agreed that there are no sites nearby already properly zoned that can be used for the intended purposes.

Following completion of the review, Commissioner Kurtz made a motion to approve the re-zone of property ID# 006-128-014-00, 9565 Phelps Road, and to waive all fees. Motion supported by Commissioner Sims. Motion approved.

8) Public Comment: Non comments received.

9) Commissioner Comments: Commissioner Beishlag informed the Planning Commissioners that the Board of Trustees will review the STR ordinance at the meeting on August 13, 2024, and that SPD Holdings has requested a public hearing before the Board of Trustees. Chairman McGinn stated that the Commission will begin review of boats and docks ordinance with the input from Beckett and Raeder.

10) Adjournment: At 8:46 p.m. Chairman McGinn adjourned the meeting.

Respectfully submitted,

Sandi Whiteford
Recording Secretary