

OFFICIAL PROCEEDINGS
 KEWEENAW COUNTY BOARD OF COMMISSIONERS
 February 18, 2015

The regular monthly meeting of the Keweenaw County Board of Commissioners was held on February 18, 2015, 7:00 p.m. at the Courthouse, Eagle River, MI. The pledge was said at the prior KML meeting.

Commissioners present: Randy Eckloff, Bob DeMarois, Don Piche, Ray Chase, Del Rajala.

The meeting was posted in the Courthouse on the bulletin board and the agenda for the meeting was posted on the door of the Courthouse.

Motion by Rajala supported by Chase and unanimously carried to approve the agenda as presented.

Motion by Chase supported by Rajala and unanimously carried to accept the minutes from the January 21, 2014 regular monthly board meeting with the following corrections: Under committees, Chase was appointed to the Houghton-Keweenaw Rec Authority and Rajala on the Rec Board for mileage can be scratched.

The Treasurer, Sheriff and Mine Inspector reports were received.

Time was allowed for public comment.

Motion by Eckloff supported by Rajala to pay the approved and audited bills in the following amounts; General Fund=\$159,050.84 Construction Codes Fund=\$118.70 911 Fund=\$18,640.56 Law Library=\$523.92, Child Care Fund=\$0 County Veterans Trust Fund=\$0 Medical Care Fund=\$0. Board polled. Ayes: Eckloff, DeMarois, Chase, Rajala, Piche. Nays: None. Motion carried.

Motion by Chase supported by DeMarois and unanimously carried to reject the option for terrorism insurance.

Motion by Chase supported by Eckloff and unanimously carried to approve the following amendments to the zoning ordinance that were passed unanimously by the Planning Commission:

Amendment 1

Section 9.2 NONCONFORMING LOTS

C. Provided that adequate potable water and proper and safe septic or sewerage disposal can be provided, as determined by the District Health Department, the Zoning Administrator shall permit single lots of record or combinations of single lots of record (those in subsection B above) that are nonconforming because they are substandard in area, width, or depth to be built on without variances provided the requirements for yards, width, depth and area is no less than seventy-five (75%) percent of that required by the terms of this Ordinance. Further, the Zoning Administrator shall allow setbacks for front, rear, and side yards which are compatible with neighboring/adjacent principle structures provided that no front/rear yard be less than ten (10) feet, no side yard be less than seven and one half (7.5) feet and no waterfront setback be less than twenty (20) feet.

TABLE 5-3 page 5-6, DIMENSIONAL REQUIREMENTS FOR NON-RESIDENTIAL AND MIXED USE DISTRICTS

	LOT AREA Comments	MIN WIDTH	FRONT	SIDE	REAR	WATERFRONT	Height	
TR	40 acres	330 ft.	50 ft. from federal or state highways, 35 ft. from county roads	50 ft. from federal or state highways, 35 ft. from county roads	50 ft. from federal or state highways, 35 ft. from county roads	75 ft.	35 ft.	See Section 7.9.2 and Table 7-1
TR (camp option)	10 acres	330 ft.	50 ft. from federal or state highways, 35 ft. from county roads	50 ft. from federal or state highways, 35 ft. from county roads	50 ft. from federal or state highways, 35 ft. from county roads	75 ft.	35 ft.	See Section 7.9.2 and Table 7-1
CEP (special uses)c	Depends on the use	Depends on the use	100 ft	100 ft	100 ft	75 ft.	35 ft.	Depends on the special use
RS-1	6,000 ft ²	50 ft.*	10 ft.	7.5 ft.	10 ft.	20 ft.	35 ft.	60%
RS-2	10,000 ft ²	100 ft.	35 ft.	10 ft.	20 ft.	75 ft.	35 ft.	60%
B-1	10,000 ft ²	100 ft.	25 ft.	10 ft.	20 ft.	75 ft.	35 ft.	50%
M-1	1 acre	150 ft.	50 ft.	20 ft.	20 ft.	75 ft.	35 ft.	50%
M-2	1 acre	150 ft.	50 ft.	20 ft.	20 ft.	75 ft.	35 ft.	50%
ED	5 acre	400 ft	100 ft	100 ft	100 ft	75 ft.	35 ft.	5%
PDD Overlay	5 acres min. tract size	200 ft.	50 ft.	20 ft.	20 ft.	75 ft.	35 ft.	Per terms of PDD approval

Amendment 1 continued

TABLE 5-3 page 5-7, DIMENSIONAL REQUIREMENTS FOR NON-RESIDENTIAL AND MIXED USE DISTRICTS

NOTES:

- a) Setbacks for all non-residential districts may be greater for any waterfront lot if the land is within a designated coastal floodplain, high risk erosion area or sand dune regulated by the Dept. of Environmental Quality. See Article VI.
- b) Existing 100 ft wide lots may not be split into two 50 ft. lots.
- c) By special land use in all non-residential districts, the setback from a waterbody may be reduced to not less than 50 ft. where unique conditions, such as bedrock, make it economically unfeasible to setback at 75 ft.
- d) No structures permitted by right in CEP Districts.
- e) Non-Conforming lots in AG shall use setbacks requirements for RR
- f) For nonconforming lots in RS-1 see section 9.2, subsection C for allowable setbacks
- g) Setback of the principle structure from the Road Right of Way for any yard shall be:

County and State Primary Roads	setback 25 feet from right of way
Local roads with speed limit over 35 mph	setback 20 feet from right of way
Local roads with speed limit less than 35 mph	setback 10 feet from right of way

Amendment 2

TABLE 4-1, ZONING DISTRICTS AND PERMITTED USES, page 4-13

<p>Multiple Family Dwellings A building or portion thereof used and designed to contain separate living quarters for three or more families on one or more levels, but which may have joint services or facilities, such as for laundry or storage.</p>	<p>Apartment building, townhouses, and row houses, garden apartments, and condominiums when considering the entire structure (not the individual dwelling units).</p> <p>Other housing similar to and compatible with the above housing.</p>	<p>“RC” in R-2 “RC” in RS-1 and RS-2</p>
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TABLE 4-1, ZONING DISTRICTS AND PERMITTED UES, page 4-17

<p>Two-Family Dwelling A building containing not more than two dwelling units, each designed and used exclusively as the home, residence or sleeping place of one-family.</p>	<p>A duplex; a building with two dwellings constructed side-by-side, front-to-back, over and under, or some combination of the above. Can be new construction or modification of an existing structure provided each dwelling is separate.</p> <p>Other housing with only two units similar to and compatible with the above housing.</p>	<p>“R” in R-2, RS-1 and RS-2</p>
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Amendment 3

Table 5-1 DIMENSIONAL REQUIREMENTS FOR RESIDENTIAL DISTRICTS, page 5-3

NOTES:

- a) Setbacks for all residential districts may be greater for any waterfront lot if the land is within a designated coastal floodplain, high risk erosion area or sand dune regulated by the Dept. of Environmental Quality. See Section 6.2.8, 6.10.A, 6.10.E.
- b) By variance in all residential districts, the setback from a waterbody may be reduced to not less than 50 ft. where unique conditions, such as bedrock, make it economically unfeasible to setback at 75 ft.
- ⇒ Mobile home parks are not a separate district, but are allowed by Special Use Permit in the R-2 Districts when public water and sewer are provided.
- d) Waterfront lots shall have two front yards, one fronting on the water body, one on the street or road, and shall meet the requirements of front yards in each portion of the lot, except where lot depth is too shallow and the owner declares only one of the front yards as the front yard for dimensional purposes and the other as back yard (for dimensional purposes). All new waterfront lots shall meet the dimensional requirements for front yards on both the waterfront and street or road sides.
- e) Setback of the principle structure from the Road Right of Way for any yard shall be:

County and State Primary Roads	setback 25 feet from right of way
Local roads with speed limit over 35 mph	setback 20 feet from right of way
Local roads with speed limit less than 35 mph	setback 10 feet from right of way

Amendment 4

Section 7.26 ACCESS MANAGEMENT STANDARDS page 7-15

7.26.3 Driveway(s) per Parcel: All land in each parcel having a single tax code number, as of the date of the amendment adding this provision to the Ordinance, which front on one side of a major thoroughfare shall be entitled to one (1) driveway access from that street or highway. Subsequent division of each parcel, either as metes and

bounds descriptions, as plats created in accord with P.A. 288 of 1967 as amended, or as site condominiums in accord with Act 59 of 1978 as amended, shall provide access by a single public road or by an approved joint parking area or driveway, as described in Section 14.2.5. No direct additional access to the major thoroughfare shall be permitted with subsequent land divisions unless the parcel has more than six hundred (600) feet of frontage and driveway separation is at least six hundred (600) feet; except following a careful review of on site conditions by the County Road Commission or MDOT, as applicable, a lesser separation distance is approved. However, if a parcel is split by a street or road, there may be a driveway on both sides of the road, provided they are both in direct alignment with one another.

Two Driveways per parcel will be allowed with the correct permits being obtained from the proper Highway Authority, County Road Commission, or Michigan Department of Transportation. The driveway permits must be obtained prior to the granting of a County Zoning Permit.

Motion by Chase supported by DeMarois and unanimously carried to sign the Memorandum of Agreement with the Michigan State University Extension Service in the amount of \$4,150 for 2015.

Motion by Rajala supported by Chase and unanimously carried to accept the proposal from OHM to do the design, construction document and bidding regarding the Courthouse siding replacement and fire escape in the amount of \$4,000.

A couple of members from the Board and a representative from OHM will schedule a meeting with Robert Johnson regarding the Courthouse Entrance Project.

Time was allowed for public comment.

There being no further business motion by Chase to adjourn at 8:05 p.m. Meeting adjourned sine die.

Donald Piche, Chairman

Julie A. Carlson, Clerk