

**Superior Township Planning and Zoning Committee**  
Brimley, Michigan 49715  
Regular Meeting, January 8, 2019

**Agenda**

Meeting called to order at 6:12 p.m. by Matt Maki.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Matthew Maki, Rick Orsborne

**Not present:** Chris Toms

**Administrative Details**

George will contact Chris to ascertain whether Chris intends to continue as a member of the committee given possible conflicts with his other duties.

**Minutes from December 11, 2018**

Motion to accept minutes as written: George

Motion seconded: Ken

Motion passed unanimously

**Public Comment(s): three minutes per individual**

**Old Business.**

- Update: inquiries about emplacing a Quonset hut but further discussion deferred until spring.
- Update: AT&T has made some inquiries, AT&T plan is to update three antennas.
- Update: Lynne Auto Parts store still planning to open the first week of April, 2019.

Rick Orsborne confirmed business cards, magnetic sign issues are resolved.

**New Business.**

1. Rick Orsborne update on activities since December meeting.

Russ Edmond had a question whether an “abandoned” road, as identified on the survey of his lot has any effect on the location of a proposed garage. Some discussion as to whether “abandoned” is the same as “vacated”, and what that means for the landowner in either case. Rick will ask the Clerk whether the deed would indicate either, and what each might mean for the landowner. Once that question is resolved the process should move forward for Mr. Edmonds.

2. Planning and Zoning Meeting Schedule for 2019: continues as second Tuesday of every month at 6 p.m. at Smart House? The committee agreed that is the plan for the present calendar year. Matt will provide Bill Beaune and each committee member with that schedule.

3. Continued review/update of Superior Township Ordinance beginning on page 8, “Forest Land”. We progressed to Page 10: “Lot” and will resume review in February from that point.

**Additional Business**

George asked whether each committee member has a copy of *The Township Guide to Planning and Zoning*, printed by the Michigan Township Association. Any committee member who needs a copy will let Matt know so copies may be ordered. Also, committee members needing a copy of the current township ordinance will let Matt know so that document will be made available.

**Motion to adjourn:** Matt made a motion to adjourn the meeting at 8:16 p.m.

**Motion seconded:** Ken

Motion passed unanimously.

**Next Regularly Scheduled Meeting is February 12 at 6 pm at the Smart House.**

Matthew Maki

Secretary

Planning and Zoning Committee

# Superior Township Planning and Zoning Committee

Brimley, Michigan 49715  
Regular Meeting, February 12, 2019

## **Agenda**

Meeting called to order at 6:12 p.m. by Matt Maki.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Matthew Maki, Rick Osborne

**Not present:** Chris Toms

## **Administrative Details**

George will contact Chris to ascertain whether Chris intends to continue as a member of the committee given possible conflicts with his other duties.

## **Minutes from January 8, 2019**

Motion to accept minutes as written: Ken

Motion seconded: Elgon

Motion passed unanimously

## **Public Comment(s): three minutes per individual**

## **Old Business.**

- Update: inquiries about emplacing a Quonset hut but further discussion deferred until spring.
- Update: Lynn Auto Parts store still planning to open the first week of April, 2019. Discussion in process on what kind of sign will be used, where it will be located.

Rick Osborne confirmed business cards, magnetic sign are completed and in his possession.

Matt provided Ken and Elgon new copies of the current township ordinance.

(Matt had asked Lorraine at the township hall if there were any copies of *The Township Guide to Planning and Zoning*, and to see about the possibility of ordering copies, one for each Planning and Zoning committee member. These will be distributed once they arrive.)

## **New Business.**

1. Rick Osborne update on activities since January meeting.

Russ Edmond had a question whether an "abandoned" road, as identified on the survey of his lot, is a valid description. It is not a valid description, there are no "abandoned roads"; any road once designated as such remains a road for planning considerations.

2. Planning and Zoning committee is in need of a fifth member to complete its structure and to provide a "tie-breaking" capability for any votes that are otherwise evenly split.

3. Continued review/update of Superior Township Ordinance beginning on page 10. "Lot". We progressed to Page 12: "Motor Vehicle, Abandoned" and will resume review in March from that point.

**Motion to adjourn:** Elgon made a motion to adjourn the meeting at 7:46 p.m.

**Motion seconded:** Ken

Motion passed unanimously.

**Next Regularly Scheduled Meeting is March 12 at 6 pm at the Smart House.**

Matthew Maki

Secretary

Planning and Zoning Committee

## Superior Township Planning and Zoning Committee

Brimley, Michigan 49715

April 12, 2019

**The next Planning and Zoning Committee meeting will be at the “Smart” house on Wednesday, April 17, 2019, at 6 p.m. This is a change from our regular meeting schedule to accommodate schedule conflicts by several committee members.**

Topics on the agenda will include:

Minutes from March 12.

Public Comment.

Old Business

- Welcome new member, Chris Toms
- Update: Quonset hut discussion has been deferred until spring (spring is Mar 20).
- Update: Any issues with the auto parts store opening

New Business.

- Rick Orsborne update on activities since March.
- Upcoming “Introduction to Planning and Zoning” Workshop relevant for us, dates:
  - May 16 (Ramada Inn, Grayling)
  - May 23 (The Shack, White Cloud)
  - May 30 (Holiday Inn, Jackson)
- Cost is \$113/person, \$91/person if registration by May 2
- Check-in and dinner at 4 p.m.
- Workshop is 5-8 p.m.
- Topics: Sources, Structure, and functional interface between Planning and Zoning/Master Plan/Ordinances, Zoning Board of Appeals, and the role of The Township Board.
- Continue review/update of Ordinance beginning on Page 14: “Office Building”.

Additional Business

**Please give Matt any additional topics for discussion, prior to the meeting, for inclusion on the agenda.**

**Please let Matt know if you are unable to attend any scheduled meeting.**

Matthew Maki  
Secretary  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
April 17, 2019

**Agenda**

**Call to Order:** Matt Maki called the meeting to order at 6:13 p.m.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Matthew Maki, Rick Orsborne, Chris Toms  
**Not present:** none

**Minutes from March 12, 2019**

Motion to approve minutes: Ken  
Motion seconded: Elgon

**Public Comment.** Three minutes per individual.

**Old Business**

- Welcome new member, Chris Toms
- Update: Quonset hut discussion has been deferred until May 2019.
- Update: Auto Parts store set to open May 1, 2019. Approximately 80% if the store will be a True Value portion, while about 20% of the store will be Auto Parts.

**New Business**

- Update: Discussion reference April 9 dialogue with George, Rick, Chris and Matthew White  
Matthew White desires to place a House Trailer on property and was interested in process.  
Rick worked with Frank Sims (County Inspector) to develop the following course of action:
  1. Rick will meet with Mr. White to give him the necessary Township paperwork for approval that will include information about setbacks, developing a plan, and following up with the county inspector, Frank Sims.
  2. Until the meeting between Rick and Mr. White takes place, the next few weeks will be available to Mr. White to develop his plan and then contact Rick when he is ready.
- Rick Orsborne update on other activities since April. He has begun working with the owner of property at 11075 Irish Line Road who will develop a plan to improve the shed now there into a possible small house. There are questions about setbacks, any rail road rights of way. The owner plans to have the property surveyed in May, after which he will contact Rick for the next steps to take.
- Upcoming "Introduction to Planning and Zoning" Workshop relevant for us, dates:
  - May 16 (Ramada Inn, Grayling)
  - May 23 (The Shack, White Cloud)
  - May 30 (Holiday Inn, Jackson)
    - Cost is \$113/person, **\$91/person if registered by May 2 to get discount.**
    - Check-in and dinner at 4 p.m.
    - Workshop is 5-8 p.m.

- Topics: Sources, Structure, and functional interface between Planning and Zoning/Master Plan/Ordinances, Zoning Board of Appeals, and the role of The Township Board.
- Continued review/update of Ordinance beginning on Page 14: "Office Building".

**Additional Business**

The next scheduled meeting of the Planning and Zoning Committee is May 14 at 6 p.m. at the Smart House. We will continue the review/update of the Township Ordinance beginning on Page 17, "SELF-SERVICE STORAGE FACILITY".

**Motion to adjourn:**

Ken made a motion to adjourn at 8 p.m.  
George seconded the motion  
Motion passed unanimously

Matthew Maki  
Secretary  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
May 14, 2019

**Minutes from Meeting**

**Call to order:** Matt Maki called the meeting to order at 6:09 p.m.

**Present:** Elgon Ellis, George Kinsella, Matthew Maki, Rick Orsborne  
**Not Present:** Ken Belk, Chris Toms

**Minutes from April 17, 2019**

Motion to approve Minutes: Rick

Motion seconded: Elgon

Motion passed unanimously

**Public Comment**

**Old Business**

- **tabled** Quonset Hut discussion until June 2019 meeting
- **tabled** Mr. White's plan to place house trailer on property until June 2019 meeting
- **tabled** Status of development plan for shed at 11705 Irish Line Road, until June meeting
- Auto Parts Store: Black Top of parking lot May 20. Grand Opening in July or August
- Planning and Zoning Workshop Participation in Grayling: no members attended

**New Business**

- Zoning Administrator report, activities since April 17 meeting
  - Pending actions (2)*
    1. F. Bud (10204 W Irish Line)
    2. R. Charles (River Road) put double wide home, still has prior home on site
  - Denied action:* (Baird Road) lot size too narrow (80'), required minimum: (100').
  - Approved action:* (9672 Midway) building permit approved
- Lot Splits to accommodate structure, parking, or driveway access.  
Discussion: interest in splitting a lot to add to a small lot, enabling improvements  
some lots are too small in dimension and set backs restrict addition improvement  
can an existing lot be split, added to a small lot to make it larger, enabling improvements  
Short answer by county assessor: yes. But there is a process involved first.  
Action: Await further information subject to landowner's initiative before action to proceed.
- Continued review of Township Ordinance, completed pages 17-20, inclusive.



**Additional Business**

- discussed possibility of increasing Planning and Zoning Committee meetings to two (2) per month, with one meeting conducting regular business and the second focusing on review of Ordinance. Further action **tabled** until June 2019 meeting to include all members in discussion (two absent today).

- Committee will resume review process beginning on page 21, Article 3, General Provisions.

-The next Planning and Zoning Committee meeting is scheduled for 6 p.m. June 11, at the Smart House.

**Motion to Adjourn at 8:03 p.m.**

Motion made: Matt

Motion seconded: Elgon

Motion passed unanimously

Matthew Maki

Secretary

Planning and Zoning Committee

# Superior Township Planning and Zoning Committee

Brimley, Michigan 49715

June 20, 2019

## Special Meeting Minutes

Call to Order: Matthew Maki called the meeting to order at 6:01 p.m.

Present: Ken Belk, Elgon Ellis, George Kinsella, Matthew Maki, Rick Orsborne, Chris Toms

Not Present: NA

Visitor to observe meeting process: Susanne Kniskern

**Special Meeting Topic:** Ann Edmonds request for variance for garage construction at 9627 West Shenandoah, Brimley, MI.

### Discussion

1) Reference: documents from Mary Edmonds included

- a. Property survey dated 29 June 2018
- b. Letter requesting consideration for a variance signed by Russel and Ann Edmonds
- c. Zoning permit application
- d. Site Plan

2) Rick noted he had declined the permit due to not meeting the rear lot set back requirement.

3) The survey incorrectly identified Grosbeck Street as “abandoned”. Because it is not abandoned, the set back was adjusted to conform to the actual right of way leaving only a 10 foot setback with the proposed garage exactly on that line.

4) George explained the Planning and Zoning Committee can not grant a variance, that authority rests with the Zoning Board of Appeals.

5) General discussion on possible garage size reduction or patio reduction.

6) Recommended forwarding to Zoning Board of Appeals, for further consideration and action. Matt will contact the Zoning Board members and arrange a meeting to continue the process on the request for a variance.

**Motion,** Ken Belk: Planning and Zoning Committee should deny variance based on rear lot land setback conflict.

**Motion seconded:** Elgon

**Motion approved** unanimously

### Additional Topics

1. Chris requested next regular Planning and Zoning Committee meeting begin at 6:30 instead of 6:00 pm on Tuesday, July 9, 2019. Committee members agreed to this accommodation.

2. Rick noted certain structures are damaged and will be notifying owners, who are not here now, of the condition as it is now, which may have changed when the owner last saw the structure(s).

**Motion to Adjourn at 6:50 pm**

Motion by Elgon

Motion seconded by Ken

Motion approved unanimously

The next regular meeting for the Planning and Zoning Committee is 6:30 pm, Tuesday, July 9, 2019, at the Smart House.

Matthew Maki  
Secretary, Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
July 9, 2019

**Call to order:** Matt Maki called the meeting to order at 6:43 p.m.

**Present:** Rick Orsborne, Elgon Ellis, Chris Toms, George Kinsella, Matthew Maki  
**Not present:** Ken Belk, Susanne Kniskern (designated alternate)

**Minutes from May 14, 2019**

Motion to approve Minutes: George  
Motion seconded: Elgon  
Motion passed unanimously

**Minutes from Special Meeting June 20, 2019**

Motion to approve Minutes: Elgon  
Motion seconded: George  
Motion passed unanimously

**Public Comment** (three minutes per commenter)

**Old Business**

**All Old Business items were deemed “resolved” except for the following**

- **tabled** from May meeting: possibility of increasing Planning and Zoning Committee meetings to two (2) per month, with one meeting to conduct regular business and a second meeting for review of Township Ordinances. This will be revisited again in September for decision.

**New Business**

1. Zoning Administrator report, activities since April 17 meeting

*Blight Ordinance* enforcement has begun for the following:

- Partially collapsed cabin (Ronny Harding on Green Street) with yard of 3' high grass  
Zoning Administrator will present certified letter notifying of violation and obtain owner plan to remediate the blight condition.

*Other actions* (3)

1. F. Bud (10204 W Irish Line): reported evidence of intent to hook up sewer/water though not approved. Will continue to monitor and report if violations occur.
2. R. Charles (River Road) put double wide home, still has prior home on site, still pending
3. PJ Jones approved addition on house on Depot Street

2. MTA Workshop options: Aug 22 (St. Ignace). Registration must be completed by July 31 to receive the lowest rate of \$94/person. The following committee members indicated interest in attending: George, Rick, Chris, Susanne. Pending: Ken Belk

3. Update on Request for Variance by Ann Edmonds for garage at 9627 West Shenandoah, Brimley. Planning and Zoning Committee does not have the authority to grant the requested variance.

a. The Zoning Board of Appeals requires a board consisting of a minimum of 3 regular members, one of whom must be from the Planning and Zoning Committee. The ZBA has to meet, elect a chair for any scheduled meetings.

b. Bill Beaune has scheduled a meeting with the ZBA for July 31 at 6:30 p.m. at the Superior Township Hall

c. This action is not in the jurisdiction of the Planning and Zoning Committee. The issue is a request for a 15 foot variance from the existing road right of way and allow for a 10 foot set back for a garage addition on the property.

**Additional Business**

- Defer until August meeting: the Continuing review of Township Ordinance, beginning on page 21, Article 3, General Provisions.

-The next Planning and Zoning Committee meeting is scheduled for 6 p.m. August 13, at the Superior Township Hall.

**Motion to Adjourn**

Motion made to adjourn: George

Motion seconded: Elgon

Motion approved unanimously, meeting adjourned at 7:38 pm.

Matthew Maki  
Secretary  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
August 13, 2019

**Minutes for Planning and Zoning Committee Meeting**

**Call to order:** Matt Maki called the meeting to order at 6:03 p.m.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Susanne Kniskern, Matt Maki, Rick Orsborne.  
**Not present:** Chris Toms

**Minutes from July 9, 2019**

Motion to approve Minutes: George

Motion seconded: Ken

**Motion passed unanimously**

**Public Comment** (three minutes per commenter)

**Old Business**

**Motion:** The Planning and Zoning Committee shall increase Planning and Zoning Committee meetings to two (2) per month, beginning September 9, 2019; the second Monday of each month to conduct regular *Planning* business and a second Tuesday of each month for *Zoning* business, review of Township Ordinances.

Motion: George

Motion seconded: Ken

**Motion passed unanimously**

- Zoning Board of Appeals (ZBA) Request for Variance for garage at 9627 West Shenandoah, Brimley. Decision: **Request for variance (Ann Edmonds) approved.**  
ZBA met July 26, 2019. Chairman: Jim Sutton. Secretary: Bill Kinsella. Member: Matt Maki  
ZBA met July 30.

**New Business**

- Zoning Administrator report, activities since July 9, 2019 meeting

A. *Pending actions* (2)

1. F. Bud (10204 W Irish Line)

2. R. Charles (River Road) put double wide home, still has prior home on site  
*Rick will monitor and provide updates as needed. No further action for now.*

B. *Building Permits granted:*

1. Location 10383 Irish Line Road (Amble)

2. Location 9921 Crawford

*C. Blight Ordinance*

1. Rick is delivering warnings with notice of possible \$100 fine (first offense).
2. Rick will review Bruce Township Blight Ordinance procedures for relevance.
3. Rick will seek Township Attorney guidance for language that
  - a. provides written warning and establishes date for compliance, first offense.
  - b. provides flexibility if process toward compliance is significant and a limited extension may be granted.
  - c. provides written process to apply penalty (\$100 fine) for non-compliance
  - d. provides written process as required for subsequent violations and penalties.

- MTA Workshop August 22, St. Ignace. Attending: Ken, George, Susanne, Matt, Rick

- Review of Township Ordinance, beginning on page 21, Article 3, General Provisions, to be continued at the Smart House location, 6 p.m., September 9, and second Monday of each month thereafter.

**Additional Business**

- The next Planning meeting is scheduled for 6 p.m. September 9, at the Smart House.
- The next Zoning meeting is scheduled for 6 p.m. September 10 at the Township Hall.

**Adjournment at 6:56 p.m.**

Matthew Maki  
Secretary  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
September 10, 2019

**Minutes for Planning and Zoning Committee Meeting**

**Call to order:** Matt Maki called the meeting to order at 6:09 P.M.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Susanne Kniskern, Matt Maki, Rick Orsborne.  
**Not present:** Chris Toms

**Motion to approve agenda:** George

Motion seconded: Elgon

Motion carried unanimously

**Motion to approve Minutes** from August 13, 2019: Ken

Motion seconded: Elgon

Motion carried unanimously

**Motion to request Township Board appoint** Susanne Kniskern as a regular Committee member, changing her status from alternate membership: Ken

Motion seconded: Rick

Motion carried unanimously

**Public Comment** (three minutes per commenter)

**Old Business**

- **tabled** from July. Increase Planning and Zoning Committee meetings to two (2) per month, beginning September 9, 2018: the second Monday and second Tuesday of every month. The Monday meeting (Smart House) will be to conduct review of Township Ordinances (Zoning); the Tuesday meeting (Township Hall) will be to conduct regular Planning business. See attached memorandum and projected calendar through September 2020 for meeting information. This completes this business.

**New Business**

1. Zoning Administrator report, activities since July 9, 2019 meeting

*Pending actions (2)*

a. F. Bud (10204 W Irish Line)

b. R. Charles (River Road) put double wide home, still has prior home on site

*Blight Ordinance Enforcement*

a. Rick has issued verbal warnings as a courtesy with a 14 day period for compliance or to show material progress. So far, the effects have been positive as those given the warnings have made efforts showing progress toward meeting the ordinance.

b. If the warning does not produce the intended compliance, the penalty is a \$100 fine for



New Business (continued)

the first offense, with increasing penalties for subsequent violations, if any, until compliance is reached.

2. Informational: MTA Workshop August 22, St. Ignace. Attending: Susanne, Rick, Matt  
Highlight: November 1, 2019 automatic "Opt In" to Recreational Marijuana Use" in all Michigan Townships *unless* Townships have an approved written Ordinance NOT Opting In on file with Michigan Department of Licensing and Regulatory Affairs (LARA) by November 1, 2019.

**Additional Business**

1. The next Planning and Zoning Committee meetings are scheduled as follows (see attached calendar):
  - (Zoning) 6 p.m. October 7 at the Smart House
  - (Planning) 6 p.m. October 8 at the Superior Township Hall.
2. Oil disposal: used oil disposal is an environmental issue. Auto parts stores and oil changing facilities in the Sault will accept up to 5 gallons of used oil per day for recycling.
3. Vacation Rental By Owner (VRBO) discussion as a part of the Township Ordinance was briefly discussed, to be considered more thoroughly at the next Zoning meeting Oct 7. Of note was the suggestion to require a Special Use Permit for the owner that would address parking and traffic considerations, among other concerns.

**There being no further business, meeting adjourned at 7:02 p.m.**

Matthew Maki  
Secretary  
Acting Chair  
Planning and Zoning Committee

Attachment: Proposed Calendar for Planning and Zoning meetings Sept 2019-Sept 2020

### Calendar for Planning and Zoning\*

Month	Date	Time	Location	Purpose
September	Monday 9 <sup>th</sup>	6 pm	Smart House	Zoning
	Tuesday 10 <sup>th</sup>		Township Hall	Planning
October	14 <sup>th</sup>	6 pm	Smart House	Zoning
	15 <sup>th</sup>		Township Hall	Planning
November	11 <sup>th</sup>	6 pm	Smart House	Zoning
	12 <sup>th</sup>		Township Hall	Planning
December	9 <sup>th</sup>	6 pm	Smart House	Zoning
	10 <sup>th</sup>		Township Hall	Planning
January 2020	13 <sup>th</sup>	6 pm	Smart House	Zoning
	14 <sup>th</sup>		Township Hall	Planning
February	10 <sup>th</sup>	6 pm	Smart House	Zoning
	11 <sup>th</sup>		Township Hall	Planning
March	9 <sup>th</sup>	6 pm	Smart House	Zoning
	10 <sup>th</sup>		Township Hall	Planning
April	13 <sup>th</sup>	6 pm	Smart House	Zoning
	14 <sup>th</sup>		Township Hall	Planning
May	11 <sup>th</sup>	6 pm	Smart House	Zoning
	12 <sup>th</sup>		Township Hall	Planning
June	8 <sup>th</sup>	6 pm	Smart House	Zoning
	9 <sup>th</sup>		Township Hall	Planning
July	13 <sup>th</sup>	6 pm	Smart House	Zoning
	14 <sup>th</sup>		Township Hall	Planning
August	10 <sup>th</sup>	6 pm	Smart House	Zoning
	11 <sup>th</sup>		Township Hall	Planning
September	14 <sup>th</sup>	6 pm	Smart House	Zoning
	15 <sup>th</sup>		Township Hall	Planning

**\*Key:** Blue represents Mondays at the Smart House to do Ordinance Review and Updating  
 Red represents Tuesdays at the Township Hall to do regular Planning business

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
October 8, 2019

**Minutes for Planning and Zoning Committee Meeting**

**Call to order:** Matt Maki called the meeting to order at 6:04 p.m.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Susanne Kniskern, Matt Maki, Rick Orsborne

**Minutes from September 10, 2019**

Motion to approve Minutes: George

Motion seconded: Elgon

Motion carried unanimously

**Public Comment** (three minutes per commenter)

**Old Business**

**New Business**

1. Presentation from Jerred McCoy. Mr. McCoy expressed his desire to open a shop that would include selling, repairing, and remodeling firearms at his residence in Brimley, Michigan, Superior Township. Discussion included the topics of business sign as well as the need to provide to the Bureau of Alcohol, Tobacco and Firearms (ATF) a motion from the Planning Committee approving Mr. McCoy's request before he may receive a Federal Firearms License.

**Motion:** *That Superior Township Planning Committee should approve a gun repair, remodel, and sales business owned and operated by Mr. Jerred McCoy at 9774 South Midway Road, Brimley, Superior Township, Michigan, 49715.*

**Matt made the motion, Rick seconded the motion**

**Motion passed unanimously**

A copy of the approved motion will be made available to Rick Phillips, Township Supervisor, and to Mr. Jerred McCoy.

2. Zoning Administrator report, activities since September 10, 2019 meeting
- a. *Pending (1): R. Charles (River Road) put double wide home, still has prior home on site*
  - b. *Blight enforcement pending, verbal warnings (3)*
  - c. *Requests for variance (2)*
    - 1) *non-conforming fence: height exceeds what ordinance allows*
    - 2) *location of gazebo: not in compliance with ordinance property line set-back*
- Zoning Administrator continues to monitor 2a, 2b above.
- Requests for variance (2c above) need to be presented to the Planning and Zoning Committee before forwarding any request for variance to the Zoning Board of Appeals (ZBA).
3. Informational: MTA Workshop August 22, St. Ignace follow up: *Superior Township now has an approved written Ordinance affirmatively opting out of any Recreational Marihuana use, to*

be posted in the Sault Evening News and to be on file with Michigan Department of Licensing and Regulatory Affairs (LARA).

**Additional Business**

Rick requested obtaining a wheeled measuring device that will help validate set back distances, visual line of sight measurements, or other linear measurements required in his duties.

The next Committee meetings are scheduled as follows:

- (Zoning) 6 p.m. November 11 at the Smart House
- (Planning) 6 p.m. November 12 at the Superior Township Hall.

**There being no further business to discuss, meeting adjourned at 7:05 p.m.**

Matthew Maki  
Secretary  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
November 12, 2019

**Call to order:** Matt Maki called the meeting to order at 6:04 pm.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Susanne Kniskern, Matthew Maki, Rick Orsborne

**Not present:** none

**Motion to approve agenda**

Motion to approve: George

Motion seconded: Susanne

Motion carried unanimously

**Minutes from October 8, 2019**

Motion to approve Minutes: Elgon

Motion seconded: Susanne

Motion carried unanimously

**Public Comment** (three minutes per commenter)

**Presentation to Planning and Zoning Committee:** Reference: Township Ordinance Fence height/set back issue, Shenandoah: Relevant references:

Section 3-19 Section A 1-4 Landscape, Screening and Fence Regulations (pp 37, 38)

Section 3-19 Section C 1, 2a-d Fences and Walls (pp 41, 42)

**Presenters:** Rob and Jenna Caraccio, Brimley residents

**Subject:** location and height of wooden fence on their property

**Issue:** Fence violates Township Ordinance regarding set back from road right of way

Fence violates Township Ordinance regarding unobstructed vision at intersection

**Intent:** The Caraccio's had thought their fence was in compliance and were seeking clarification.

**Discussion:**

1. There were no complaints, but only compliments from the neighbors regarding the fence.
2. One neighbor had inquired if the Zoning Administrator was aware of the fence details.
3. The fence had been constructed for two main reasons.
  - a. As a remedy for passers-by staring into the yard (privacy).
  - b. As a deterrent to litter and trespassing, including parking of cars, on the property grounds.

**Course of Action**

1. The true property boundaries and road right of way limits are not clearly identifiable. This renders any definitive measurements moot until such limits are clearly located and marked.
2. George suggested the Township could assist through the use of a device to measure more precisely.
3. There was a suggestion that perhaps Northwest Survey may have either a previously done survey on file that may be available, or a survey might be done to establish boundaries.

4. Due to the snow and ice already accumulating in the area, the Planning and Zoning Committee members suggested deferring action until the snow was gone in Spring to enable correct and accurate measurements and marking.
5. Both Rob and Jenna concurred with the suggestion to defer further decision until Spring.

#### **Old Business**

Action completed and concluded: Zoning Administrator request for wheeled measuring device for validating set back distances, visual line-of-sight measurements, or other required linear measure requirements has been satisfied.

#### **New Business**

1. Zoning Administrator report, activities since October 8, 2019 meeting
  - a. *Pending actions* (R. Charles, River Road, put Double Wide, prior home still on site: no change, still pending)
  - b. *Blight actions* One Brimley resident fined \$100.00 for non-compliance with the Blight Ordinance after months of delay and deferred consequence. The residence still is needing clean-up. The next level of assessment for a fine is pending time allowed to come into compliance has elapsed.
  - c. *Additional Variances*
    - 1) Rick Orsborne will measure the set-back distances for a canvas garage and a wooden shed to determine whether either are in compliance with Township Ordinance set-back requirements, anticipating of a possible request for a variance.
    - 2) Awaiting a possible request for a variance regarding a gazebo that is located in violation of the Township Ordinance set-back requirement.

#### **Additional Business**

The next Committee meetings are scheduled as follows:  
(Zoning) 6 p.m. Dec 9 Smart House. (Planning) 6 p.m. Dec 10 Superior Township Hall.

**There being no further business, the meeting adjourned at 7:36 pm.**

Matthew Maki  
Secretary,  
Planning and Zoning Committee

Superior Township Planning and Zoning Committee  
Brimley, Michigan 49715  
December 10, 2019

**Minutes**

**Call to order:** Matt Maki called the meeting to order at 6:04 p.m.

**Present:** Ken Belk, Elgon Ellis, George Kinsella, Susanne Kniskern, Matthew Maki (Secretary and Acting Chair), Rick Orsborne (Zoning Administrator)

Not present: none

**Motion to approve agenda**

Motion to approve: Ken

Motion seconded: Susanne

Motion carried unanimously

**Minutes from November 12, 2019**

Motion to approve Minutes: Susanne

Motion seconded: Elgon

Motion carried unanimously

**Public Comment** (three minutes per commenter)

**Old Business**

1. Pending Action: R. Charles, River Road, proposed double-wide placement but prior house still on site: Zoning Administrator verified the plan for pending action is viable, remains a pending action.

2. Rick (Zoning Administrator) will issue a citation to a property owner which allows two weeks to request a variance for a gazebo location or be fined \$100 for non-compliance with the ordinance.

3. Rick discussed the location and need for relocation of a shed and of a canvas garage with a property owner to bring into compliance with the Township Ordinance. After discussion, the owner and Rick reached an agreement to wait for Spring when the structures may be moved

**New Business**

1. Zoning Administrator report, activities since November 12, 2019 meeting

a. *Pending actions*

b. *Blight actions*

c. *Additional Variances*

2. Status of Ordinance Review as of 9 December 2019: The Zoning Review completed through Article 6 (page 56). Depending on the size of a numbered Article, the pace has averaged two Articles per meeting. The first three articles (Articles 1-3) were lengthy and detailed,

each requiring several meetings where only part of any article could be reviewed in a single sitting.

### **Additional Business**

1. In light of the Township's interest in enforcement of the Blight Ordinance, George provided additional information that addressed steps that could be taken if a Blight situation appears either to be irremediable or corrective actions are not being taken to eliminate a blight situation.

A. If there appears to be no action being taken to eliminate blight and be in compliance:

1. Zoning Administrator views site and, with property owner, inspects the site to identify specific evidence of blight.

2. The Zoning Administrator then works with the property owner to determine an agreed time sequence and end-state for compliance and any accompanying enforcement procedures.

3. If the agreed milestones for measuring progress are not completed, the Zoning Administrator will issue citations in accordance with the Blight Ordinance.

4. If the process reaches an impasse with no progress toward compliance in accordance with agreed actions to be taken, the Township Attorney may develop a letter detailing legal requirements and describing a sequence of steps toward declaring the property condemned.

5. Additional actions will follow as determined by the circumstances at that time.

B. George briefly outlined a different possibility for resolving a blight issue in lieu of determining to condemn a property.

1. The Brownfield Process: Site clean up by a buyer who eliminates the blight issue contingent upon having a "ready to develop plan" in place.

2. In short, this course of action would enable a current property owner to sell the site to a buyer who would make arrangements to clean up any blight concerns and develop a site plan for future property use.

C. Either option A or C (above) may be pursued now as a viable course of action.

2. There was some discussion regarding accurately measuring linear horizontal distance for set backs or other required distances as detailed in the Zoning Ordinance.

A. The current methods have included use of the Measuring Wheel, a flexible measuring tape, and following terrain (with attendant irregularities).

B. A suggestion for consideration was for the Zoning Administrator to be issued a Township owned Optical Rangefinder. This enables horizontal measurement, slant measurement to convert to horizontal measurement, and accuracy of measurement to the nearest whole unit.

3. The next Committee meetings are scheduled as follows:

(Zoning) 6 p.m. Jan 13 Smart House. (Planning) 6 p.m. Jan 14 Superior Township Hall.

**There being no further business, meeting adjourned at 7:04 p.m.**

Matthew Maki

Secretary, Planning and Zoning Committee