

CRYSTAL LAKE TOWNSHIP ZONING BOARD OF APPEALS
PUBLIC HEARING FOR REQUESTED VARIANCE
APRIL 7, 2022 – CRYSTAL LAKE TOWNSHIP HALL – 6 PM

1. CALL TO ORDER/PURPOSE OF MEETING

Meeting called to order by Chair George Stemple at 6:10 pm.

2. ROLL CALL

Recording Secretary called roll call:

Zoning Board of Appeals Members Present: George Stemple, Alan Marble, Gregory Wright.

Quorum present.

Staff Present: Tom Kucera, CLT Zoning Administrator, and Jeannette Feeheley, Recording Secretary.

Visitors:

Nicole Long of UpNorthLive 7 & 4 Television Station

Becky Church

Steve Church

Jay White, Land Owner

Brenda Mead, RV Park Manager

Sarah Ross, Civil Engineer for RV Park expansion project

Bruce Walton

Amy Ferris, Crystal Lake Township Supervisor

3. CALL FOR CONFLICT OF INTEREST: None expressed.

4. SELECTION OF BOARD POSITIONS

Stemple moved that he continue as Chair and Marble as Vice Chair. Wright seconded. All ayes. Motion passed.

5. APPROVAL OF AGENDA

Zoning Administrator requested adding an item to the agenda between item 5 and 6 whereby the Minutes of the March 10, 2022 meeting could be up for approval.

Stemple moved that the Agenda as amended be approved. Marble seconded. All ayes. Motion approved.

5.A. APPROVAL OF MINUTES OF MARCH 10, 2022

Wright moved that the Minutes of March 10, 2022 be approved. Stemple seconded. All ayes. Motion approved.

6. RULES OF ORDER FOR SPEAKERS

Hand outs of Rules were available for all present.

7. ADMINISTRATION OF SPEAKER'S OATH

Marble asked all present who wished to speak to stand and take the Speaker's Oath that had been provided. All visitors and applicant representatives swore the Oath.

8. REQUEST FOR VARIANCE – ARTICLE 19, TABLE 19-1 – RV PARK – SIGN

a. OPEN PUBLIC PORTION OF MEETING: Public portion opened.

b. Applicant – Time Limit – 8 minutes with one 3 minute extension at discretion of Chair

Stemple asked Applicant representatives if they had anything to present. Sarah Ross, Civil Engineer, and Brenda Mead, Park Manager, were present for the Applicant. Sarah Ross spoke for the Applicant. Ross said the sign is currently small and hard to see. They want it larger and lighted for better safety. The lighting will meet all Dark Sky requirements. It would be 5 feet high by 10 feet long with a nautical theme with posts and rope, a wood frame with corrugated metal. Right now our sign request is for 10 feet long – if you approve it, it would likely be placed 3 to 4 feet above the road grade depending on the location nearer the road that MDOT (Michigan Department of Transportation) will allow in their Right of Way, a location which would likely put it into a ditch lower than the road. Stemple clarified with Ms. Ross that the bottom of the sign would be 3 to 4 feet above the ditch road grade to coordinate with the road grade at the center of the road. Ross asked that if the Zoning Board of Appeals finds the size of the sign request too large, to please consider the need.

c. Staff report – Time Limit – 8 minutes with one 3 min. extension at discretion of Chair.

Zoning Administrator read excerpts from his Staff Review and Report (attached to these Minutes). The existing sign is 36 square feet. He said there is no practical difficulty to the Applicant to comply with existing Ordinances regarding signage. He also mentioned that there are other signs along the M-115 corridor that are larger than the Ordinance allows. Discussion ensued among Zoning Board of Appeals members and Zoning Administrator.

d: Supporters

Each person wishing to speak in support of the variance will be given 3 minutes with one extension of 2 minutes at the discretion of the Chair. (Copies of letters received in support or opposition were provided as hand-outs and are attached to these Minutes.)

Jay White said he is a property owner across the street from the Park and supports the 50 square feet. He said a taller sign will improve safety and the proposed lighting of the currently unlit sign also will help.

Steve Church said he has been a seasonal resident of the Park for years and years. A little bit higher would be good. He still gets surprised by trying to find the sign while driving and he has been coming to the Park for years.

Becky Church gave an example. She said those who live here know the terrain but for visitors, they drive right past not seeing the sign. It took her 45 minutes to get her mother, who was visiting on her motorcycle, to find the sign and road entry when she came to visit.

Brenda Mead, Park Manager, spoke of the extensive and frequent directions she is required to give people to find the sign. Her own mother said that if she did not know to look for the nearby

dentist's sign, she would have missed it.

Bruce Walton said he is in favor of the concept of staying within the square footage ordinance but supports raising the height, and if brought closer to the road and into the Michigan Department of Transportation Right of Way, it would be safer. He'd also support the ditch raise. He said there is a lot of signage for a traveler to get past when coming down that road.

e. Opposition

Each person wishing to speak in opposition to the variance will be given 3 minutes with one extension at the discretion of the Chair. (Copies of letters received in support or opposition were provided as hand-outs and are attached to these Minutes.)

No one present asked to speak in opposition.

f. Applicant Rebuttal – Time Limit – 3 minutes

Sarah Ross agrees Ordinances are important. She feels the 50 foot sign size is within the Ordinance for Commercial Use.

g. Staff Rebuttal – Time Limit – 3 minutes

Zoning Administrator thinks there should be a limit on height. Bottom of sign would be in line with center of highway, then 5 feet high above the center line of the road. Ms. Ross's statement about commercial use does not apply as the RV Park is not in a district that is zoned for commercial use but rather in a district zoned for rural preservation.

h. Supporter Rebuttal – Time Limit – 3 minutes: None.

i. Opposition Rebuttal – Time Limit – 3 minutes: None

j. Additional discussion of this issue is at discretion of the Chair.

Marble said the current Ordinance allows the current 36 square foot sign to go to 40 square feet. His career was in public safety almost 30 years. He said GPS only gets a traveler to the area, while a well-positioned lighted sign gets the person to actually where they are going. Turning around one of those big rigs like a 30-foot camper because the driver could not find the sign is not good for the driver nor the rest of the traffic and not for those in whose driveways the rig must drive into. He advocates safety first.

k. CLOSE PUBLIC PORTION OF MEETING: Public portion of meeting was closed at 6:35 pm.

l. BOARD DISCUSSION/DELIBERATION

Wright recommends denying the variance. Zoning Administrator said enlarging the sign from the current 36 square feet to 40 square feet and moving the sign closer to the road meets the current Ordinance. He said there's nothing in the Ordinance that would prohibit lighting that meets Dark Sky requirements, and the current sign itself could be lighted. Marble asked if there is something we can do to make it more visible by raising the height to their desire? Zoning Administrator said yes, but a variance would be required, that increasing the height is a function of the piece of property. Marble is tempted to propose postponing action to get an engineering concept about the height. Wright is very conservative when it comes to granting variances.

He'd be in favor of denying the variance at this time and then take it up later if the RV Park still thinks it needs to be improved but not increase the size to 50. They could increase to 40 feet and still be within the Ordinance and not need a variance.

Wright moved to deny this variance at this time. Marble seconded. All ayes. Motion to deny approved. Stemple stated the variance on the sign is denied.

9. REQUEST FOR VARIANCE – ARTICLE 3.11 – RV PARK – EXCEED 2,000 SF TOTAL BLDG AREA LIMIT

a. OPEN PUBLIC PORTION OF MEETING:

Stemple opened the Public Hearing on this variance request at 6:40 pm.

b. Applicant – Time Limit – 8 minutes with one extension of 3 minutes at discretion of Chair.

Sarah Ross spoke about the accessory buildings. She said the property is 33 acres total acreage and their request is still under the 10% allowed in campgrounds. She discussed the size of the buildings and the storage allowed in other typical campgrounds. The goal of the storage building is to store as much outdoor equipment as possible out of the view of the public. The bathhouse is needed to serve an expansion to 127 total units with 12 showers between the 2 bathhouses. She also mentioned an office building on site.

c. Staff report – Time Limit – 8 minutes with one extension of 3 minutes at discretion of Chair.

Zoning Administrator had a written Staff Report (attached to these Minutes). He said the storage building is possible but the second bathhouse would not be needed if the expansion is not approved by the Crystal Lake Township Planning Commission. The storage building could be used for Park operations only, not for other commercial uses as it is a residential property being allowed a special use. If space inside is rented, it should be rented only to people already renting or have a unit inside the Park. Can't be a commercial operation. This is in line with the Consent Judgment. The Applicant has provided a floor plan of the inside of the building. However a building that size and height may not be needed. Issue is whether to allow a variance beyond the 2,000 square feet limit. The dimensions of the bathhouse is 44 X 36 and Storage 60 X 83.

Marble said the storage square footage would be 4980. Discussion among Zoning Board of Appeals members and Zoning Administrator. Current bathhouse already 1583 square feet, plus there's a small convenience store. 8148 square feet – storage and bath houses together. 9295 square feet would include the office building. Not unusual in the area to have a primary use structure. So far the 2000 square foot limit has been adhered to. Wright can support the bathhouse variance because it is a health and safety issue. Further discussion.

d: Supporters

Each person wishing to speak in support of the variance will be given 3 minutes with one extension of 2 minutes at the discretion of the Chair. (Copies of letters received in support or opposition were provided as hand-outs and are attached to these Minutes.)

Steve Church supports both the bathhouse and storage building requests.

Becky Church said there is necessary equipment sitting around on the property that people don't want to see. Also children use the Park and the lawnmowers and similar potentially dangerous equipment should be stored appropriately for their safety.

Brenda Mead said we have meetings and at the end of the year there was a Halloween Party with a tractor out by the end of the road. We want to be able to put such vehicles away from the road and in storage and not visible from the road or an eyesore.

Jay White said he had been supportive earlier when the RV Park was first proposed. We need a good RV Park in this area and hopes that the additional requested facilities will let the Park operate successfully and attractively.

Bruce Walton asked isn't there more than 33 acres? He thought the property comprised 50 acres. He's in agreement with everyone's statements so far. This storage building would allow room to put a big RV into storage in order to work on it rather than having to do repairs outside.

e. Opposition

Each person wishing to speak in opposition to the variance will be given 3 minutes with one extension at the discretion of the Chair. (Copies of letters received in support or opposition were provided as hand-outs and are attached to these Minutes.)

Amy Ferris, speaking as a Crystal Lake Township resident, said this is a problem created by the original Special Land Use Permit that was sought and now they anticipate too many people for the current bathhouse and not enough showers. This should have been in the original formula.

f. Applicant Rebuttal – Time Limit – 3 minutes

Sarah Ross took exception to Ms. Ferris saying this is a problem, because of Ms. Ferris' position of influence as Township Supervisor. Ms. Ross said that this is a business in your community. Storage buildings are common. The corridor photos I took shows all the current storage buildings on other properties along M-155, she said. She said she does believe this request goes well with your Township Master Plan which is not the case for some of the other properties along that road.

g. Staff Rebuttal – Time Limit – 3 minutes: None.

h. Supporter Rebuttal – Time Limit – 3 minutes: None.

i. Opposition Rebuttal – Time Limit – 3 minutes: None

j. Additional discussion of this issue is at discretion of the Chair.

Marble said it's like you cannot parole someone from prison and make it so he cannot get a job and then expect a good outcome. He thinks the government has a role in giving this business the room to succeed. He favors a smaller version of that which is requested.

k. CLOSE PUBLIC PORTION OF MEETING: Public portion of meeting was closed at 7:08 pm.

I. BOARD DISCUSSION/DELIBERATION

Wright agreed with Marble that the size request is way too big. Also limits could be put on what the storage building could be used for. Discussion ensued among the members of the Zoning Board of Appeals.

Stemple moved, based on presentations and discussions that we've had, to grant the applicant's variance request to allow the applicant to exceed Article 3.11 of 2,000 square feet and allow the construction of the proposed 1,584 square feet bath house and a storage building having an area of 2,000 square feet and interior clear height of 16 feet subject to the following conditions:

- **That expansion of the RV Park is approved by the Crystal Lake Township Planning Commission;**
- **That the storage building be used for RV Park operations only;**
- **That space inside the storage building, if rented, can only be rented to persons who are actively renting recreational vehicle/unit spaces in the RV Park;**
- **That the size of the storage building be reviewed and approved by the Crystal Lake Township Planning Commission as part of the Special Land Use Permit review.**

Marble seconded. All ayes. Motion passed.

Marble moved to amend the motion but it had already been passed. Asked what his concern was, he wanted to clarify that all commercial businesses within that building not be used for any commercial use outside RV Park operations. Discussion clarified that the conditions, as stated in the motion, covered his concern that usage of the building be only for RV Park operations and customers of the RV Park, and Marble withdrew his motion.

Zoning Administrator informed all present that that he will be issuing a Decision and Order reflecting what was approved today, and that, once signed by the Chair, the Applicant will have 30 days to appeal this decision to the circuit court, should they so choose.

Brenda Mead asked for clarification of the size of the sign, and Kucera explained that the discussion had clarified that the base of the sign could be placed at a level that would align with the height of the centerline of the road, as had been discussed during the meeting.

Becky Church asked about next steps and was informed that the Crystal Lake Township Planning Commission's next regularly scheduled meeting is set for April 27, at which time there could be, maybe, a public hearing on the RV Park's request for a Special Land Use Permit to expand the Park.

10. OTHER BUSINESS: None.

11. ADJOURNMENT

Stemple adjourned the meeting at 7:15 pm.

Respectfully submitted,
Jeannette Feeheley, Recording Secretary

Attachments: See next page.

Attachments to these Minutes:

- ZBA Public Hearing Meeting Agenda
- ZBA Public Hearing Speakers Oath
- 2022-03-01 RV Sign Variance Findings with attachments
- 2022-03-01 RV Building Size Variance Findings with attachments
- Summary of and provision of Pro-Con Letters
- 2022-04-07 Practical Engineers ZBA Meeting Handout
- 2022-03-15 Updated Sign Drawing
- 2022-03-16 Storage Building Floor Layout
- 2022-03-16 RV Park Perspective Views

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