

PUBLIC HEARING
KEWEENAW COUNTY BOARD OF COMMISSIONERS
June 18, 2014

FINAL

The Keweenaw County Board of Commissioners held a public hearing on the proposed increase of .0219 mills in the operating tax millage rate to be levied in 2014. Proposed additional millage will increase operating revenues from ad valorem property taxes by \$2,942 over such revenues generated by levies permitted without holding a public hearing. Piche opened the public hearing at 6:15 p.m. with Eckloff, Rajala and Chase present. Stubenrauch absent. Motion by Chase supported by Eckloff and unanimously carried to close the public hearing at 6:23 p.m.

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
June 18, 2014

The regular monthly meeting of the Keweenaw County Board of Commissioners held June 18, 2014, 6:30 p.m. at the Courthouse, Eagle River, MI, opened with the pledge of allegiance.

Commissioners present: Randy Eckloff, Ray Chase, Don Piche, Del Rajala. Absent: Frank Stubenrauch.

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 Rajala supported by Eckloff and unanimously carried to accept the minutes as presented from the May 21, 2014 regular monthly board meeting.

The Treasurer, Sheriff and Mine Inspector reports were received.

Time was allowed for public comment.

Motion by Rajala supported by Eckloff to pay the approved and audited bills in the following amounts; General Fund=\$122,173.24 Construction Codes Fund=\$3,130.71 911 Fund=\$2,704.91 Law Library=\$0 Child Care Fund=\$175.50 County Veterans Affairs Fund=\$0 Courthouse Improvement Fund=\$600.00 Register of Deeds Automation Fund=\$0. Board polled. Ayes: Eckloff, Chase, Piche, Rajala. Nays: None. Motion carried.

The at&t tower at Mt. Horace Greeley was tabled until July as there was no new information.

Motion by Chase supported by Eckloff and unanimously carried to adopt the levies as presented in the public hearing, therefore increasing the tax millage rate by .0219 for 2014, providing additional operating revenue from ad valorem property taxes by \$2,942.

Motion by Eckloff supported by Chase and unanimously carried to purchase two plaques from the Michigan Department of Natural Resources for the two grants that the County received for the Gratiot River Mouth Land Acquisition and for the Gratiot River Park Addition. Plaques (permanent recognition signs) must be installed and photographs provided as grants were received from the Michigan Natural Resources Trust Fund. Plaques were purchased originally but they are missing from the sites.

Motion by Rajala supported by Eckloff and unanimously carried to appoint Ned Huwatschek (expiring 12/31/2015) and Wesley Aho (expiring 12/31/2014) to the Veterans Affairs Committee.

Motion by Chase supported by Eckloff and unanimously carried to approve the design and to allow OHM to take the next step in the process of the Courthouse front entrance project. The thresholds for the doors will be addressed to make sure that those problems are taken care of.

Motion by Rajala supported by Chase and unanimously carried to support the Baraga-Houghton-Keweenaw Counties Community Corrections Advisory Board's efforts to apply for continuing funds for fiscal year 2015.

Motion by Rajala supported by Chase to cover Keweenaw County's share of the deficit of the Tri-County Community Corrections program. The work crew spent approximately 8% of its time at Keweenaw County work sites and with the deficit amount of \$16,000, 8% of that is \$1,300. Ayes: Eckloff, Chase, Rajala, Piche. Nays: None. Motion carried.

Motion by Rajala supported by Chase to increase the dues from \$300 to \$350 for 2014 for UP RC&D (Upper Peninsula Resource Conservation and Development Council. Ayes: Eckloff, Chase, Rajala, Piche. Nays: None. Motion carried.

Motion by Chase supported by Eckloff and unanimously carried to adopt the following Zoning Amendments as recommended by the Planning Commission:

SCHEDULE B: DIMENSION REQUIREMENTS FOR NON-RESIDENTIAL AND MIXED USE DISTRICTS

Zoning Districts	Minimum lot area & lot width for each building, structure or use		Minimum yard setback of principal structures for each lot			Setback from the ordinary high water mark of lake or water body ^{ab}	Maximum height of principal structures	Maximum lot coverage all principal plus accessory structures
	Area	Minimum Width	Front yard as measured from the road right-of-way line	Side yard as measured from each side property line	Rear yard as measured from the rear property line			
AG (by right)	10 acres <i>5 acres^d</i>	330'	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. dwellings,	5%
AG (for cluster zoning option pursuant to Section 10.12.31)	Density at 1 dwelling unit/5 acres, but no dwelling may occupy a lot of more than 1 acre unless required by District Health Dept. or DEQ and 50% or more of site must be permanent open space	100 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. dwellings,	30%
AG (special uses)	Depends on the use	Depends on the use	100 ft	100 ft	100 ft	75 ft	35 ft. unless more approved as part of special use permit.	5%

- 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.
 - * Existing 100 ft wide lots may not be split into two 50 ft. lots.
 - b. 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.
 - c. No structures permitted by right in CEP Districts.
 - d. *AG parcels of a non-conforming size are required to meet the same setback requirements as RRA parcels with onsite sewage disposal, see Table 5-1*

Section 7.32 KEEPING OF ANIMALS AND LIVESTOCK

The following shall apply to the keeping of animals and livestock:

- A. The *having or* keeping of livestock, *except chickens*, and other farm animals, is permitted on any lot in the AG district, and on any lot larger than ten (10) *five (5)* acres in the CE, RR and R-1 districts, and such animals are not permitted in any other district.
- B. Backyard Poultry**
 - a) *Limit the raising of chickens to single or two family residences only and the number of chickens to six (6) per residence.*
 - b) *No roosters may be kept due to noise.*
 - c) *Poultry shall not be allowed in a residence, porch, or attached garage. Chickens must be confined in a coop in the backyard of a residence. An outside enclosed run may be allowed.*
 - d) *The owner shall dispose of all waste materials in an environmentally safe manner. The materials can be composted or bagged and disposed of in the trash.*
 - e) *The poultry coop shall be within the normal setback and at least 20 feet from a neighboring residence.*
 - f) *The impact and spread of disease can be reduced if households with poultry can be readily identified. Zoning permits are required; a site visit is not necessary.*
- C. Non-domesticated, wild, or exotic species of animals, or crossbreeds or hybrids thereof, shall be allowed only with written approval of the County Animal Control Officer or supervising agency with jurisdiction.

D. No storage or unusual accumulation of manure or odor or dust-producing materials shall be permitted in any district within one hundred (100) feet of any side or rear property line abutting a residential district or existing structure used for residential purposes.

E. All buildings in which livestock and other animals are sheltered shall be located in a structure a minimum of one-hundred (100) feet from any property line.

F. The provisions of this section shall not be interpreted to restrict any rights of farmers on land in districts in which agriculture is permitted in this Ordinance from the keeping of livestock in a manner permitted under Michigan's Right to Farm Act, being Public Act 93 of 1981, as amended, or consistent with any management practices established pursuant to that Act.

Section 9.4 NONCONFORMING STRUCTURES

Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards or other characteristics of the structure or location on the lot such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

A. No such structure may be enlarged ~~(increased in square footage to include additional stories)~~ or altered in a way which increases its nonconformity, but the use of a structure and/or the structure itself may be changed or altered, provided that all such changes are also in conformance with the requirements of the District in which it is located. Furthermore, a nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use and which existed at the time of the adoption of this Ordinance, but no such use shall be extended to occupy any land outside such building.

B. Should such structure be destroyed by any means it shall not be reconstructed except in conformity with the provisions of this Ordinance, unless it is impractical to do so, in which case it shall be rebuilt on not more than the building footprint at the time of destruction and in accordance with section 9.4.A above.

Motion by Chase supported by Rajala and unanimously carried to appoint Eckloff as an alternate commissioner for the WUPPDR Board and Executive Board.

Time was allowed for public comment.

There being no further business motion by Eckloff to adjourn at 7:30p.m. Meeting adjourned sine die.

Donald Piche, Chairman

Julie A. Carlson, Clerk