

403 N Huron St  
PO Box 39  
Cheboygan, MI 49721  
231-627-9931  
www.cheboygan.org

## Regular Planning Commission Meeting

Monday, April 22, 2024 / 6:00PM

City Council Chambers

1. Roll Call:

- Granger
- Horntvedt
- Kopernik
- Rogers
- O'Brien
- Sullivan

2. Approval of Prior Minutes: September 25<sup>th</sup>, 2023

3. New Business:

- a. **Public Hearing – Rezoning of Parcels 055-006-100-001-06, 055-006-100-001-03, 055-006-100-003-00, 055-006-100-001-02. Correction: Parcel 055-006-100-001-02 is not intended for rezoning due to a clerical error.**

Tierra Realty Trust, LLC, South Huron LTD LLC., and Michigan Department of Natural Resources has filed a Petition to Amend Zoning to rezone for three parcels, Parcels 055-006-100-001-06, 055-006-100-001-03, 055-006-100-003-00, and ~~055-006-100-001-02~~ from Local Business (B-1) to Multi-Family Residential (R-M)

4. Commission Member Comments:

5. Staff Report:

6. Public Comment:

7. Adjourn:

### MISSION STATEMENT

*The Mission of the City of Cheboygan is to promote economic opportunity and enhance quality of life through innovative commitment of human and natural resources with continued planning, financial allocation, and implementation of goals by responsive staff, and elected and appointed officials.*

*The City of Cheboygan is an Equal Opportunity Provider and Employer.*

**amartin@cheboygan.org**

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**From:** asingles@cheboygan.org  
**Sent:** Monday, April 15, 2024 12:47 PM  
**To:** 'Daniel Sabolsky'; amartin@cheboygan.org  
**Subject:** FW: Public Hearing Notice April 22, 2024

**Categories:** Red Category

**From:** mike konicki <mikekonicki47@gmail.com>  
**Sent:** Monday, April 15, 2024 12:44 PM  
**To:** asingles@cheboygan.org; Linda konicki <lindakonicki48@gmail.com>; Missy Koszegi <missy.koszegi@cbgreatlakes.com>  
**Subject:** Public Hearing Notice April 22, 2024

I received a public hearing notice for the City Planning Commission regarding the rezoning of four parcels of property from Local Business B-1 to Multi-Family Residential R-M.  
Parcel #4 .48 Acres 902 S Huron Street should not be included in the rezoning changes and left as B-1.  
I am the owner of Parcel #1 and Parcel #2 and approve the zoning change. Parcel #4 is owned by Rehmann Real Estate LLC which I was a former owner of and is currently an office building and should not be rezoned to R-M.  
Should you have additional questions please contact me at the address below.

Michael J Konicki South Huron LTD LLC.  
733 Pocahontas Beach Road  
Cheboygan, Michigan 49721

CITY OF CHEBOYGAN PLANNING COMMISSION  
Planning Commission Regular Meeting  
Monday, September 25, 6:00 p.m.

Present: Granger, Kopernik, Sullivan, O'Brien, Horntvedt, Rogers  
Absent: Khan-King  
Admin: Sabolsky

Call to order at 6:01 by Granger. Kopernik motioned to approve the agenda, Horntvedt second, passed unanimously. Kopernik motioned to approve the minutes of the September 11, 2023 Special Meeting as presented. Horntvedt second, motion passed unanimously.

New Business Site Plan Review 525 E. State Street, Cheboygan, MI. Granger recused himself and turned the meeting over to Kopernik. Kopernik stated he inspected the site in question and does not see any problems with the plan. Sabolsky stated he had met with Granger regarding the site plan. Wanted to make sure there was a buffer between the building and the neighbor.

Horntvedt made a motion that the commission recommend council approve the site plan for 525 E. State Street as presented. Second by O'Brien. Motion passed unanimously.

Granger took back the meeting for commission member comments. O'Brien stated his concern over Main Street being closed. Wants to know if anyone is doing an economic study of the effect the closure is having on local business. He also questioned if anyone knows anything about McLaren closing the Cheboygan Hospice House.

Sabolsky gave an update on how many different agencies have been involved with investigating the fire. The road cannot be open until demolition of the unsafe portions of the warehouse and the conveyor that crosses the street is complete. He stated that DDA was working on more comprehensive signage. He stated the city is doing everything they can do. He complimented all city employees that pitched in to help and worked extra hours during the fire.

Rogers gave an update of what she knew about Hospice. Cheboygan is closing October 3. Families were given one week notice to move their loved ones. McLaren is trying to close Hiland Cottage in Petoskey too but the community was leaked the information over two months ago. They have formed a group, Friends of Hiland Cottage and are working on a letter campaign to hopefully avoid the proposed shut down.

Meeting adjourned by order of the President at 6:25 p.m.

Submitted by,

Linda Rogers, Secretary  
City of Cheboygan Planning Commission



**CITY OF CHEBOYGAN, MICHIGAN  
PETITION TO AMEND ZONING**

Petitioner: TIERRA REALTY TRUST, LLC

Address: 4050 OAK BANK COURT ORCHARD LAKE MI 48323

Cell Phone: 575-770-7829

Email: scrozier@tierrarealty.com

**OFFICE USE ONLY:**

Date Received: 2/13/24

\*Fee Received: 3/5/24

(\*fee = \$450.00 – subject to change)

Please note: All questions must be answered completely. If additional space is needed, number and attach additional sheets.

**ACTION REQUESTED:**

The petitioner requests the City of Cheboygan approve the following petition for a zoning amendment. This amendment is for a text amendment “A” or a change to the zoning map “B” or both.

- A. Zoning text change
- B. Zoning map change
- A&B Both zoning text and map change

NOTE: The amendment may be adopted as proposed, further revised or not adopted.

**A.** Text amendment: Use another copy of this page for each different section being nominated for a text change.

This request is to change the text of section (§) NOT APPLICABLE

The change is shown below, using underlining or bold face, like this, to show new text, and strike out, ~~like this~~, to show words to be deleted:

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additional sheets attached: yes no

Why, what is the purpose, of the proposed zoning text change? \_\_\_\_\_

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**B.** Map change (rezoning): Use another copy of this page for each different area being nominated for rezoning.

This request is to rezone land from: B-1 to R-M

**Property Information:**

**Legal Description of land to be rezoned:** COM CEN 1/4 COR SEC 6; TH N 85D 58M 41S W 33.04 FT TO WLY R/W HURON ST; TH N 1D 2M E ALG R/W 300FT TO POB; TH N 85D 58M 41S W 694.15FT TO ELY R/W DMRR; TH ALG RR R/W CHD BEARS N 0D 42M 36S W 222.18FT; TH S 86D 53M 5S E 700.43FT TO WLY R/W HURON ST; TH S 1D 2M W ALG R/W 232.83FT TO POB "ALSO" THE FRL S1/2 OF FRL NW1/4 LYING W OF THE RR R/W SEC 6 "EXC. COM AT THE W 1/4 COR OF SD SEC; TH S 85D 58M 41 S E ALG THE E-W 1/4 LI 960.77FT TO THE WLY ROW LI OF HURON ST; TH N 01D 02M E ALG SD ROW LI 300FT TO THE POB; TH N 85D 58M 41S W 415FT; TH N 01D 02M E 210FT; TH S 85D 58M 41S E 415FT; TH S 01D 02M W 210FT TO POB, T37N,R1W 646/342;929/566;996/821;996/825

- attach additional sheets, if necessary
- attach copy of map showing proposed change

Property size: 3.96

Parcel (tax) number: 16 - 055 - 006 - 100 - 001 - 06

Address(es) of the property: TBD  
(If new construction and address not known yet, an address will be assigned by the Assessor upon issuance of the Zoning Permit)

A. Attach or list all deed restrictions for the property at question: NONE

additional sheets attached

B. List names and addresses of all other persons, firms, or corporations having a legal or equitable interest in the property at question: SOUTH HURON LTD LLC

additional sheets attached

C. This area is  unplatted,  platted,  will be platted. If platted, name of plat:

D. What is the present use of the property? VACANT LAND

**STATEMENT TO JUSTIFY THE PROPOSED AMENDMENT:**

State specifically the reason for the proposed amendment at this time: To allow the development of multifamily rental housing.

Will the zoning amendment conform with the City of Cheboygan Land Use Master Plan? yes no  
If yes, explain how: It will match current zoning of most of the properties to the east and west that are already zoned R-M Multi-Family Residential.

If the zoning amendment does not conform with the land use plan, why should the change be made, or why should the land use plan also be amended to accommodate this proposed zoning amendment. Be specific, brief and document statements. Indicate if the existing zoning is in error, or if conditions have changed to warrant amending the zoning ordinance: \_\_\_\_\_

additional data attached

What will the impacts of the zoning amendment anticipated to be on all landowners in the zoning district affected by the amendment? There will be no negative impacts to surrounding landowners. Amendment will provide much needed housing to the area. Property is bounded on the west by S. Western Avenue, on the east by the DNR rail trail, the south by Stempky Street and the north by vacant land.

List and describe the attached sheets:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

The undersigned affirms that he/she is the petitioner or agent representing the petitioner requesting the zoning change and that the answers and statements contained herein are true.

Signed: J MWR  
Date: 2/12/24

*Please call 231-627-9931 with any questions on the completion of this form.*

**In reviewing an application for the rezoning of and, whether the application be made with or without an offer of conditions or, in considering any rezoning on the initiative of Council or the Planning Commission, factors that shall be considered by the Planning Commission and the City Council include, but are not limited to, the following:**

- \_\_\_\_\_ 1. Whether the reasoning is consistent with the policies and uses proposed for that area in the City's Master Land Use Plan;
- \_\_\_\_\_ 2. Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding areas;
- \_\_\_\_\_ 3. Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning; and
- \_\_\_\_\_ 4. Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.

*(Planning Commission or City Council to check off the above, if met.)*

Date Application & Public Hearing heard by the Planning Commission: \_\_\_\_\_

Planning Commission's recommendation and conditions (if any):

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Date voted on by City Council: \_\_\_\_\_

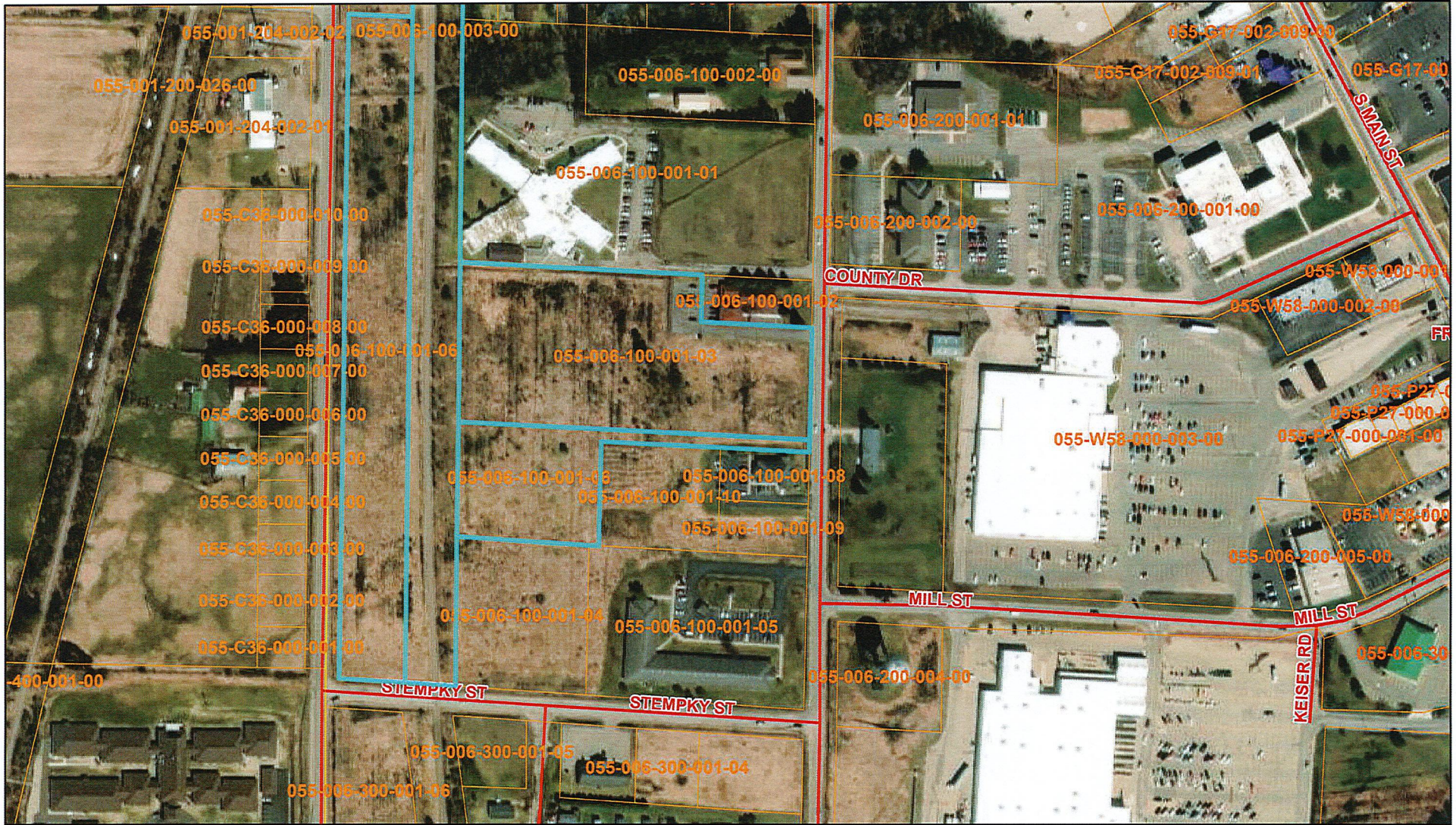
City Council's decision and conditions (if any):

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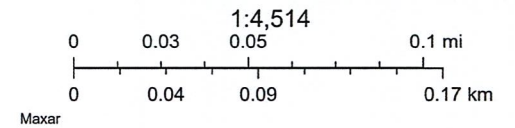
# Rezone Request



4/17/2024, 10:00:14 AM

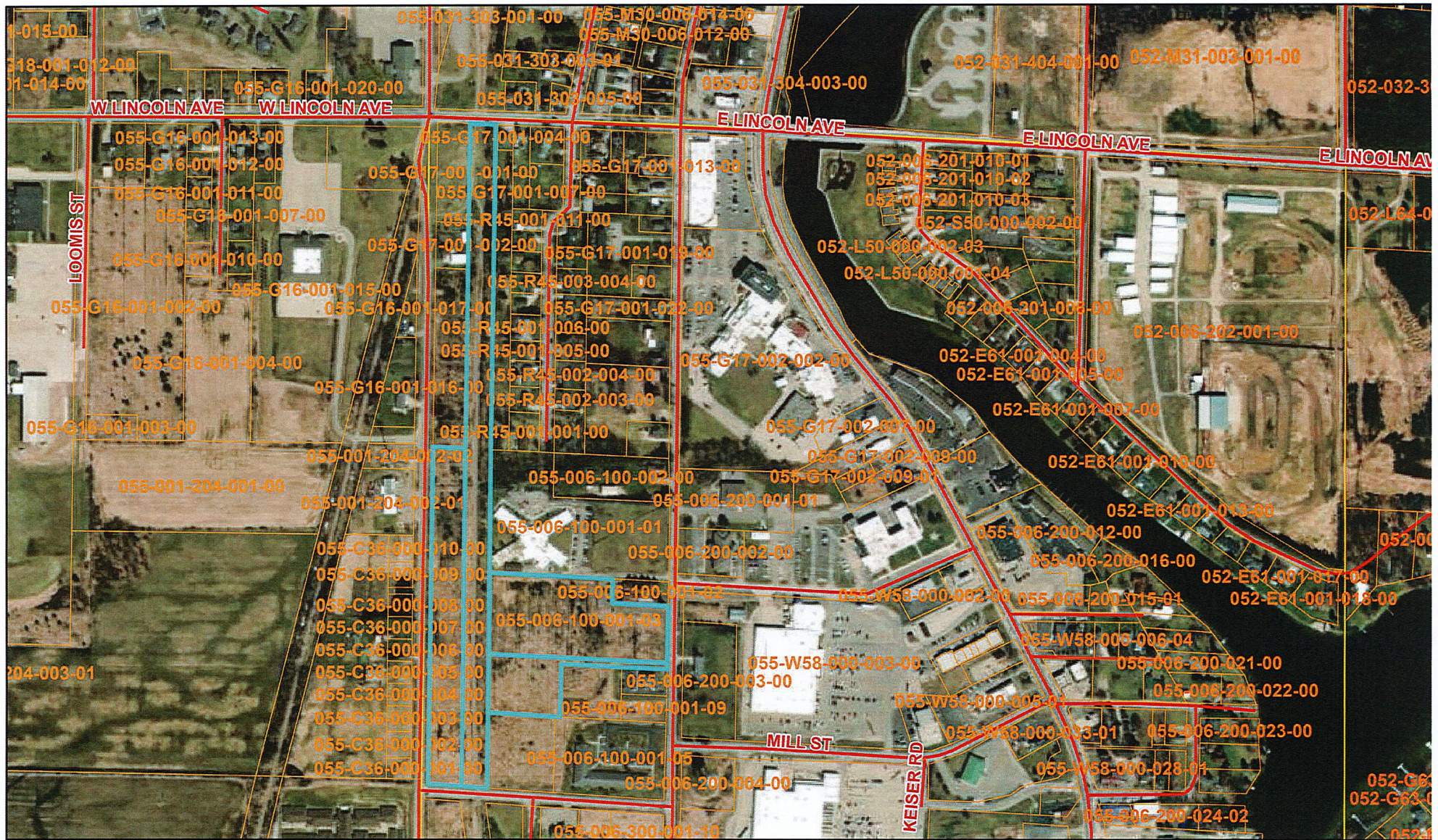
 Parcel Information

 Streets





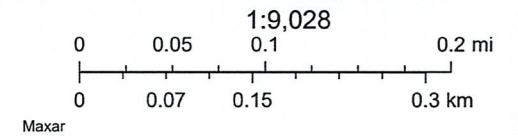
# Rezone Request



4/17/2024, 9:56:56 AM

Parcel Information

Streets





(1 of 2)

Parcel Information

PARCEL_NO	055-006-100-001-06
Township Code	051
Property Class	202
School District	16015
Water Code	
SEV 2023	34,800
Taxable 2023	11,367
MayPRE	0
Legal Description	COM CEN 1/4 COR SEC 6; TH N 85D 58M 41S W 33.04 FT TO WLY R/W HURON ST; TH N 1D 2M E ALG R/W 300FT TO POB; TH N 85D 58M 41S W 694.15FT TO ELY R/W I E 700.43FT TO WLY R/W HURON ST; TH S 1D 2M W ALG R/W 232.83FT TO POB **ALSO** THE FRL S1/2 OF FRL NW1/4 LYING W OF THE RR R/W SEC 6 *EXC: COM AT TH THE WLY ROW LI OF HURON ST; TH N 01D 02M E ALG SD ROW LI 300FT TO THE POB; TH N 85D 58M 41S W 415FT; TH N 01D 02M E 210FT; TH S 85D 58M 41S E 415FT;
Owner	SOUTH HURON LTD LLC
Property Address	912 S HURON ST
Property City	CHEBOYGAN
Property Zip	49721
Mailing Address	733 POCAHONTAS BEACH DR
Mailing City	CHEBOYGAN
Mailing State	MI
Mailing Zip	49721
Liber/Page	996/821
Taxes Billed Summer 2022	534.35
Taxes Billed Winter 2022	62.02
Taxes Billed Village 2022	0.00
Acreage	1.75
Taxes Billed Summer 2023	555.92
Taxes Billed	61.89

[Zoom to](#)



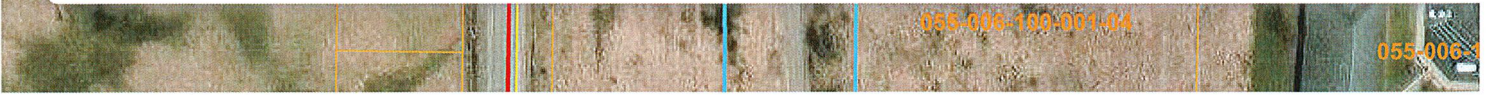


Parcel Information

PARCEL_NO	055-006-100-003-00
Township Code	051
Property Class	102
School District	16015
Water Code	0
SEV 2023	300
Taxable 2023	282
MayPRE	100
Legal Description	FORMER 100 FT D&M RR R/W ACROSS NW 1/4 SEC 6 T37N R1W 661/302;719/810;926/539;963/360
Owner	MICHIGAN DEPT OF NATURAL RESOURCES
Property Address	
Property City	
Property Zip	
Mailing Address	PO BOX 30722
Mailing City	LANSING
Mailing State	MI
Mailing Zip	48909
Liber/Page	000/000
Taxes Billed Summer 2022	0.00
Taxes Billed Winter 2022	8.20
Taxes Billed Village 2022	0.00
Acreage	6.02
Taxes Billed Summer 2023	0.00
Taxes Billed Winter 2023	8.40
Taxes Billed Village 2023	0.00

Related tables:

Sales  
[Zoom to](#)





(1 of 2)

Parcel Information

PARCEL_NO	055-006-100-001-03
Township Code	051
Property Class	202
School District	16015
Water Code	
SEV 2023	26,200
Taxable 2023	22,194
MayPRE	0
Legal Description	COM CEN 1/4 COR SEC 6 TH N 85D 58M 41S W 33.04 FT TO WLY R/W LI HURON ST TH N 1D 2M E ALG SD R/W LI 532.83 FT TO POB TH N 86D 53M 5S W 700.43 FT TH S 86D 53M 5S E 488.57 FT TH S 4D 52M W 94.36 FT TH S 86D 59M E 221.01 FT TH S 1D 02M W 226 FT TO THE POB. SEC 6 T37N R1W 622/767;996/823;996/819
Owner	SOUTH HURON LTD LLC
Property Address	
Property City	
Property Zip	
Mailing Address	733 POCAHONTAS BEACH DR
Mailing City	CHEBOYGAN
Mailing State	MI
Mailing Zip	49721
Liber/Page	996/823
Taxes Billed Summer 2022	1,043.38
Taxes Billed Winter 2022	121.12
Taxes Billed Village 2022	0.00
Acreage	4.67
Taxes Billed Summer 2023	1085.48
Taxes Billed Winter 2023	120.86

Zoom to



300ft

-84.484 45.630 Degrees

**CITY OF CHEBOYGAN**

403 N. HURON ST.

CHEBOYGAN, MI 49721

231-627-9931

WWW.CHEBOYGAN.ORG

Receipt: 194439

03/05/24



Page

Cashier: AMARTIN

Received Of: TIERRA REALTY TRUST LLC

The sum of: \$450.00

LIC REZONE - 912 S HURON & VACANT

450.00

Total 450.00

CHECKS 5524 450.00

Stay up to date on City projects and news by signing up for our new E-Newsletter at [www.cheboygan.com](http://www.cheboygan.com) or by leaving your email address at the Front Desk.