

Village of Bellaire

PLANNING COMMISSION

William Drollinger, Chairman

Commissioners: Butch Dewey, Fred Harris, Robert Shumaker and Don Seman

PLANNING COMMISSION WORK SESSION MINUTES

June 24, 2014

- **Call to Order:** Chair Drollinger called the session to order at 2:04 p.m.
- **Roll Call Attendance**
 - Present:** Chairman Drollinger, Butch Dewey, Fred Harris, Robert Shumaker and Don Seman
 - Absent:** None absent
 - Staff Present:** Lori Luckett, Zoning Administrator
 - Also Present:** None.
- **Additions to Work Session Items:** None.
- The work session began with discussion about the definition of lot line as it pertained to waterfront properties. The 2002 zoning ordinance had defined front lot line for waterfront lots as being the “boundary line of the lot immediately adjacent to the water’s edge.” Under the current zoning ordinance there is no distinction between waterfront and non-waterfront properties. Two different waterfront property owners have inquired about constructing detached accessory buildings and do not want to obstruct the view of the water or have wetland issues that limit sites. Currently accessory buildings are not allowed in the front yard or at the road side of the property. According to the Forest Home Township assessor, there are currently 14 detached structures on Forest Home Township/Village waterside properties and 15 detached structures on the road side. On Kearney Township/Village waterfront properties there are 6 structures on the road side; two sheds on the waterside. When considering an amendment to the zoning ordinance, we do not want to create more non-conformities. Luckett pointed out surrounding units have defined the front lot line for waterfront properties as being along the ordinary high water mark or adjacent to the water’s edge. Ordinary high water mark is a defined term in the current zoning ordinance. She indicated that the Village of Elk Rapids does not distinguish between waterfront and non-waterfront properties, but does allow accessory structures to be anywhere on a lot within its existing building envelope.

There was discussion about the prohibition of accessory buildings in the front yard. Section 3.5.E of the 2002 zoning ordinance stated “No detached accessory building or structure, or any part of a detached accessory building or structure, shall be located in the front yard of any lot within the village except in the case of a waterfront lot on which accessory buildings and structures may be placed in the yard abutting the street.” The 2005 zoning ordinance removed the exception for waterfront properties. There was discussion about whether and why accessory buildings should be prohibited in the front yard. There was agreement to explore other zoning ordinances. Perhaps the language in Section 3.5 Accessory Buildings or Structures should be amended. Information from the

Village of Elk Rapids zoning ordinance, other zoning ordinances of similar size units and possibly the Michigan Municipal League will be gathered for consideration.

Discussion moved to Section 3.23 Business and Informational Signs. Luckett pointed out existing conflicts and difficulties in administering the current zoning ordinance. The removal of specific setbacks for ground mounted signs in the current zoning ordinance, has resulted in certain signs now being non-conforming. In the current zoning ordinance, overhanging signs may not be less than 9 feet above the public right of way. There does not appear to be such a limit for other attachments to buildings that are over the right of way. There are additional questions about temporary signs and portable signs. Chairman Drollinger indicated that a great deal of time had gone into the 2002 sign ordinance and he explained the practice of registering temporary signs. Sign dimensions seem to be reasonable, the setback of ground mounted signs should be reconsidered. The Village of Suttons Bay sign ordinance was presented for comparison because it also has a state highway going through the downtown.

Discussion occurred about outside displays, awnings, items within MDOT right of way. Mary Lajko with MDOT was contacted by Luckett about what was permissible within their right of way. Luckett gave a synopsis of her conversation with Lajko. She informed members that Lajko had expressed a willingness on the part of MDOT to work with the Village because M-88 goes through the downtown. Apparently, there are no set standards for temporary structures in the MDOT right of way. According to Lajko there should not be a lot of items within the right of way and they would not permit permanent structures. During the conversation Lajko made mention of an access management plan to address access onto M-88. She stated that MDOT had recently worked with Mayfield Township which has M-37 and M-113 in its limits. A recent inquiry about adding an access point within the Village Central Business District had been referred to Lajko. She indicated that adding access points in the CBD would reduce the number of on street parking spaces and raises public safety issues.

Members discussed other access points, problems with certain entrances, and whether the Village would need a specific access plan. If there are any revisions to the Section 3.25 regarding outside displays in the CBD we may want MDOT to review proposed revisions prior to taking action.

The Planning Commission agreed to meet again on Tuesday, July 8, 2014 at 2:00 p.m. Luckett is to gather accessory structure and sign ordinances from the Villages of Elk Rapids and Suttons Bay as well as the City of Charlevoix.

- **Work Session ended at 3:40 p.m.**

Minutes compiled by:
Lori Luckett, Zoning Administrator & Recording Secretary

Approved: _____
William Drollinger, Chair

Date: _____