

Village of Bellaire PLANNING COMMISSION

Commissioners: Dan Bennett, Butch Dewey, Bill Drollinger, Fred Harris, and Don Seman

PLANNING COMMISSION MEETING MINUTES

August 6, 2019

Immediately following the Public Hearing at 5:00 p.m.

1. **Call to Order:** Chairman Drollinger called the meeting to order at 5:35 p.m.

2. **Roll Call Attendance:**

Present: Butch Dewey, Fred Harris, Don Seman and Bill Drollinger

Absent: Dan Bennett

Staff Present: Lori Luckett, Zoning Administrator

Also Present: Georgia Jean Burns, Jim Maltby and Dale Snook

3. **Approval of Agenda:** Chairman Drollinger presented additions to the agenda. Item d) Front Setbacks was expanded to include Side and Corner Setbacks, Item e) RV parking/contracting purposes; and Member Comment after Correspondence and Reports, were added. The agenda was approved as amended.

Motion by Commissioner Dewey, seconded by Commissioner Harris, to approve the agenda as amended. Motion carried by unanimous voice vote.

4. **Approval of Minutes:** The minutes of the June 4, 2019 Special Meeting were approved as written

Motion by Commissioner Harris, seconded by Commissioner Dewey, to approve the minutes of the June 4, 2019 Special Meeting as written. Motion carried by unanimous voice vote.

5. **Public Comments:** None presented.

6. **Unfinished Business:** None presented.

7. **New Business: a) Land Division - 05-46-124-039-00 - James E. Maltby and Paula A. Maltby:** Chairman Drollinger asked Mr. Maltby for comment. He requested a report from the zoning administrator. Zoning Administrator Luckett explained that Maltbys own a vacant parcel across from the water. They are proposing to divide their waterfront parcel so that when they sell their current residence and build their new home, each of their parcels on Seneca Street will have waterfront for access to the river. She also explained that because their deed did not contain the number of available divisions, it was necessary to research the title at the Abstract Department. It was determined that there had been no divisions since 1953; the current parcel is considered the parent parcel. Chairman Drollinger identified the district regulations: Zoning District: single Family Residential- R-1; Minimum Lot Area: 6,000 sf; Minimum Lot Width: 50 ' Setbacks: Front-25 ' ; Rear 25 ' ; Side 5'. The exhibits were identified. I. Village of Bellaire Land Division Ordinance; 2. Village of Bellaire Zoning Ordinance; 3. Parcel Division Application with Attachments; a. Warranty Deed; b. Statement; c. Tax Deed; d. Real Estate Summary Sheet for Parcel 05-46-124-039-00; e. Current Property Class Map showing Parcel Lines and Labels; f. Legal Description; g. Certificate of Boundary Survey; f. Legal Description; g. Certificate of Boundary Survey; and 4. Land Division Act MCL 560.10 et seq.

Chairman Drollinger proceeded with the standards for approval in §49-6 and proposed findings.

An application to divide a lot, parcel, or tract of land or to affect a property transfer shall be granted when all of the following standards are met:

The proposed division or property transfer shall comply with all requirements of the Land Division Act of 1967, being Act 288 of the Public Acts of 1967, as amended.

The Planning Commission finds:

1. The Land Division Act authorizes four divisions of a parent parcel for the first 10 acres or fraction thereof. The Applicants propose one division. (Exhibit 4 and Exhibit 3.b.)
2. For each division, the Land Division Act requires an adequate legal description, tentative parcel map showing area, parcel lines, public utility easements, and accessibility. The map must be scale drawing showing the approximate dimensions of the parcels. The Applicants have provided a Certificate of Boundary Survey. (Exhibit 4 and Exhibit 3.g.)
3. The resulting parcel has a depth of not more than four times the width. (Exhibit 4, Exhibit 2 and Exhibit 3.g.)
4. The resulting parcel has a width not less than required by the Village of Bellaire Zoning Ordinance. (Exhibit 4, Exhibit 2 and Exhibit 3.g.)
5. The resulting parcel has an area not less than required by the Village of Bellaire Zoning Ordinance. (Exhibit 4, Exhibit 2 and Exhibit 3.g.)
6. The resulting parcel is accessible. (Exhibit 4 and Exhibit 3.g.)

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

A. The lots, parcels, or tracts of land that will result from the division or property transfer shall comply with all requirements of the Village of Bellaire Zoning Ordinance, as amended, including but not limited to the requirements relating to area and width for the newly created lots, parcels, or tracts of land, the requirements relating to lake and/or road frontages, and the requirements relating to setbacks if the newly created lots, parcels, or tracts of land have buildings or structures on them. The addition of land to an already lawful nonconforming lot or parcel is permitted without a zoning variance, provided that the lot or parcel from which the land is taken will not become a nonconforming lot or parcel or, if already nonconforming will not become more nonconforming.

The Planning Commission finds:

1. The Applicants propose one division, Parcel A with the remainder Parcel B. (Exhibit 3.b.)
2. The minimum square footage in the R-1 district is 6000 sf. Parcel A contains 6493; Parcel B contains 17,244 sf. (Exhibit 2 and Exhibit 3.g.)
3. The minimum width of parcels in the R-1 district is 50'. Parcel A is 90.45 ' wide; Parcel Bis 128.75' wide. (Exhibit 2 and Exhibit 3.g.)
4. There are currently no structures on Parcel A. There are stairs to the shoreline and dock on Parcel B.
5. Each parcel will afford waterfront access to associated residential parcels across Seneca Street. (Exhibit 3.g.)

Motion by Commissioner Harris, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

B. Each lot, parcel, or tract of land that will result from the division or property transfer shall have an adequate and accurate legal description certified by a land surveyor licensed by the State of Michigan.

The Planning Commission finds:

1. Applicants have provided a Certificate of Boundary Survey signed by Scott Papineau of Ferguson & Chamberlain Associates, Inc. containing legal descriptions for Parcel A and the remainder of the parent parcel, Parcel B. (Exhibit 3.g.)

Motion by Commissioner Dewey, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

C. Except for the remainder of the parent parcel or parent tract of land retained by the owner each new lot, parcel, or tract of land that will result from the division, including those lots, parcels, and tracts of land greater than 10 acres, shall have a depth of not more than four times its width as measured under the requirements of the Bellaire Zoning Ordinance. This standard shall not apply to a property transfer. [Amended by Ord. 4-2007 on 06-06-07]

The Planning Commission finds:

1. Parcel A has a depth of not more than four times the width. (Exhibit 3.g.)

Motion by Commissioner Dewey, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

D. If a lot, parcel, or tract of land that will result from the division or property transfer will be a development site, then each such resulting lot, parcel, or tract of land shall have adequate easements for public utilities from each such resulting lot, parcel, or tract of land to existing public utility facilities.

The Planning Commission finds:

1. A development site means any parcel or lot on which exists or which is intended for building development, excluding agricultural for forestry use. (Exhibit 4. MCL 560.102(k))

2. The division, Parcel A, is intended to provide access to contiguous/adjacent Lot 9, 3 13 Seneca Street. (Exhibit 3.b.)

3. The legal description for Parcel A includes a reservation, "subject to the rights of the public and of any governmental unit in any part thereof taken, used or deeded for street, road, or highway". (Exhibit 3.g.)

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

E. If the land proposed to be transferred between two (2) or more adjacent lots or parcels does not independently conform to the requirements of the Land Division Act, being Act 288 of the Public Acts of 1967, as amended, the Village of Bellaire Zoning Ordinance, as amended, and this Ordinance, then the land proposed to be transferred shall not thereafter be independently considered a development site, but may only be used in conjunction with an adjoining lot(s), parcel(s), or tract(s) of land.

The Planning Commission finds:

1. Parcel A meets the area and width requirements of the Village of Bellaire Zoning Ordinance. (Exhibit 3.g.)

Motion by Commissioner Seman, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

F. Each lot, parcel, or tract of land that will result from the division or property transfer shall be accessible.

The Planning Commission finds:

1. Each parcel is a waterfront lot. The front lot line is adjacent to Seneca Street. (Exhibit 3.g.)

2. Each parcel has direct street access. (Exhibit 3.g.)

Motion by Chairman Drollinger, seconded by Commissioner Dewey, that this standard has been met. Motion passed by unanimous voice vote.

G. The owner of the parcel or tract of land shall possess the right to divide the parcel or tract of land. This standard shall not apply to a property transfer.

The Planning Commission finds:

1. Applicants purchased the property from J.W. Unger Jr., successor and co-trustee and Mary Kay McDuffie, successor and co-trustee of the Joint Revocable Living Trust of J.W. Unger, Sr. and Katherine M. Unger u/a/d 9/5/1986 September 29, 2006. The warranty deed not reference the right to divide.

2. After a search by the Antrim County Abstract Division, Applicants provided a copy of Tax Deed from the Deputy Auditor General to J.W. Unger and Katherine H. Unger recorded at Liber 118, Page 71 dated June 17, 1954 containing the same legal description as the warranty deed referenced above.

3. The Land Division Act, Act 288 of 1967, amended in 1982 and effective March 31, 1997, defines a "parent parcel" as a parcel or tract lawfully in existence on the effective date of the amendatory act. (MCL 560.102(i))

4. Applicants received the parent parcel and are allowed to make divisions in accordance with MCL 560.108 (2)(a). For the first 10 acres or fraction thereof in the parent parcel Applicants are allowed 4 divisions and are requesting one.

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

H. The proposed division does not isolate a cemetery so that it no longer is accessible as defined in this Chapter. This standard shall not apply to a property transfer. [Amended on 04-05-2017 by Ord. No. 02 of 2017]

The Planning Commission finds:

1. The property is not located near the cemetery.

Motion by Commissioner Chairman Drollinger, seconded by Commissioner Seman, that this standard has/has not been met.

The requested land division was approved.

Motion by Chairman Drollinger, seconded by Commissioner Seman, to approve the division as proposed based on the findings of fact. Motion passed by unanimous voice vote.

b) Snook Bike Rental - Site Plan Review: Chairman Drollinger welcomed Mr. Snook to the meeting and asked if he wished to speak on his application. Mr. Snook explained that he owns commercial property at the top of which he would like to put a 12' by 20' storage shed for the rental of e-bicycles. Those renting pontoons from the business on site have asked what else there is to do. Their requests prompted him to offer this option. Mr. Snook explained that Shanty Creek is renting e-bikes and has been doing pretty well. He has no idea how successful this will be but thought he would "give it a go" as electric vehicles are the wave of the future. He has proposed routes that do not interfere with local traffic. These bikes are not allowed on Glacial Hills. The proposed routes are basically twenty-mile circles. The bikes conform to federal law and can only go twenty miles per hour and go twenty-five miles, four hours, on a charge. The batteries are located on the handle bars and are removeable. Because there will be no electricity on site, the batteries will be taken back

to his resort for charging. Chairman Drollinger asked if all knew the location. Mr. Snook explained that he does not have exact signage, he will be forming another entity for the rental of these bicycles. He does not know the name yet, maybe Bellaire Bike Rentals or Bellaire E-Bikes. He has spoken with the owner of Paddles & Pedals. Pro-Image will be designing the sign. There was brief discussion about the number of signs allowed per business. Commissioner Seman confirmed that the bikes will be sent out along Genessee Street and not Cayuga. Depending on the route taken, there will be instructions. The bike rental hours will coincide with the pontoon livery. Mr. Snook said they would run to 6:00 p.m. so the employees can handle the pontoons until 7:00 p.m. Chairman Drollinger identified the property as 204 W. Cayuga. The zoning district is Village Commons. Master Plan Use: The Existing Land Use Map on page 4-2 of the Master Plan identifies the parcel as pa11 Wetlands/Lowlands and Upland Forests. The Future Land Use Map on page 7-2 of the Master Plan identifies the parcel as General Residential. District Regulations: Front setback-25 feet; rear setback-25 feet; side setback-25 feet on a corner lot. The site description: PIN 05-46-275-001-00, described as: LOTS 1 AND 2 RIVER TERRACE ADD TO BELLAIRE. The property is currently classified as Residential-Vacant and has 203 feet of frontage along the Intermediate River. Applicant purchased the property January 29, 2016. On July 12, 2016 the request to operate a pontoon livery at 204 W. Cayuga, May through October with hours of operation from 8:00 a.m. to 7:00 p.m., was approved by the Planning Commission. Signs not to exceed 24 square feet were to be installed or registered in compliance with the zoning ordinance provisions for signage and off-street parking for 13 vehicles was to be provided. The MDEQ issued permit WRP003380 August 1, 2016. The land use permit was issued August 3, 2016. Applicant is now requesting permission to add the rental of bicycles. He proposes to place a 12' x 20' shed on skids, in the parking area at the corner of N. Genessee and W. Cayuga for the storage of the bicycles. Under the zoning ordinance this may be considered a retail outlet with gross floor area of 5,000 square feet or less without outside storage. The use of the property is for seasonal tourism. Applicant states the "temporary building can be removed and placed with little effort". Although placement of the building may be temporary, it must still meet the setback requirements. The proposed location is on a corner so the setbacks off N. Genessee and W. Cayuga are 25 feet. The exhibits were identified: Exhibit 1 Village of Bellaire Master Plan; Exhibit 2 Village of Bellaire Zoning Ordinance including Map; Exhibit 3 Site Plan Review Application with Attachments a) Statement of Action Requested; b) Pictures of 12' x 20' storage shed; c) Site Plan; Exhibit 4 Email and Site Plan note from Heidi Shaffer, Antrim County Soil Erosion Officer.

SECTION 6.05 SITE PLAN APPROVAL STANDARDS

Each site plan shall conform with the applicable provisions of this Ordinance and the standards listed below:

A. The site plan shall comply with the Village of Bellaire Master Plan and any other applicable Village adopted planning documents.

The Planning Commission finds:

1. The Existing Land Use Map in the Master Plan identifies the property as vacant Open Land Upland Forests Future Land Use as General Residential. (Exhibit 1)
2. The parcel is located within the Village Commons Zoning District which recognizes that central portions of the village are not separated into homogeneous land uses. (Exhibit 2)
3. The proposed use of a retail outlet with gross floor area of 5,000 sf or less is a use permitted by right in the Village Commons Zoning District. (Exhibit 2)
4. The location of the shed must conform to meet setbacks.

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

B. All elements of the site plan shall be harmoniously and efficiently organized in relation to topography, the size and type of lot, the character of adjoining property and the type and size of buildings. The site shall be so developed as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this Ordinance.

The Planning Commission finds:

1. There is no alteration to the topography proposed.
2. Applicant proposes to place a 12' x 20 ' square foot shed on the property.

Motion by Chairman Drollinger, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

C. The landscape shall be preserved in its natural state, insofar as practical, by minimizing tree, other vegetative material, and soil removal, and by topographic modifications which result in maximum harmony with adjacent areas. Landscape elements shall minimize negative impacts. Landscaping, buffering, and screening shall conform with the requirements of this Ordinance.

The Planning Commission finds:

1. Landscape will be preserved except in the area designated for parking. (Exhibit 3)
2. A landscape buffer is required for any commercial use that abuts a residential use on either the side yard or rear yard. (Exhibit 2, Section 3.20 A.)
3. A landscape buffer may be waived by the Planning Commission if it finds there will be no adverse effect upon the neighboring property resulting from the waiver or omission. (Exhibit 2, Section 3.20 A.)

Chairman Drollinger asked Mr. Snook whether he was doing anything with the landscape. He indicated he was not. Commissioner Harris stated that the designated parking was approved with the pontoon rental and will not change.

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard has been met with no change in landscape. Motion passed by unanimous voice vote.

D. Special attention shall be given to proper site drainage so that removal of storm waters will not increase off-site sedimentation or otherwise adversely affect neighboring properties.

The Planning Commission finds:

1. The site plan identifies the location of a trough from the grass parking area for water flow to the existing underground drain. (Exhibit 3)
2. Placement of the 12' x 20' storage shed may not disturb drainage patterns.

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

E. The site plan shall provide reasonable, visual, and sound privacy for the proposed development, as well as the adjacent properties. Fences, walls, barriers, and landscaping shall be used, as appropriate, for the protection and enhancement of property and for the privacy of its occupants.

The Planning Commission finds:

1. This standard is not applicable.

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard is not applicable. Motion passed by unanimous voice vote.

F. A fire and safety preplan review shall be required and coordinated by the applicant with the Bellaire District Fire Department chief or his/her designee.

The Planning Commission finds:

1. The Bellaire District Fire Chief has approved the proposed site plan.

Motion by Chairman Drollinger, seconded by Commissioner Dewey, that this standard has been met. Motion carried by unanimous voice vote.

G. All buildings or groups of buildings shall be so arranged as to permit emergency vehicle access.

The Planning Commission finds:

1. The proposed shed for the storage of bicycles will be the only building on site. (Exhibit 3)
2. Access or emergency vehicles is available a long West Cayuga and North Genessee.

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

H. Every building or dwelling unit shall have access to a public street, private road, walkway, or other area dedicated to common use.

The Planning Commission finds:

1. The proposed location of the building allows for access to N. Genessee.

Motion by Commissioner Dewey, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

I. Walkways shall be provided, separate from the road system, where feasible.

The Planning Commission finds:

1. This standard is not applicable.

Motion by Commissioner Seman, seconded by Chairman Drollinger, that this standard is not applicable. Motion carried by unanimous voice vote.

J. Exterior lighting shall be designed and arranged so that it is deflected away from adjacent streets and adjoining properties, and shall be directed downward so as not to unnecessarily illuminate the night sky. Flashing or intermittent lights shall not be permitted.

The Planning Commission finds:

1. There is no proposed lighting. This standard is not applicable.

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard is not applicable. Motion carried by unanimous voice vote.

K. The proposed arrangement of vehicular and pedestrian routes shall respect the pattern of existing or planned streets and nonmotorized pathways in the area. Streets and drives which are part of an existing or planned street pattern which serves

adjacent development shall be of a width appropriate to the traffic volume they will carry and shall have a dedicated right-of-way.

The Planning Commission finds:

1. Ingress and egress to the storage shed is in the grass parking area. According to site plan, ingress appears to be located at least 40 feet from the intersection. (Exhibit 3)

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard has been met. Motion passed by unanimous voice vote.

L. All streets shall be developed in accordance with Village specifications.

The Planning Commission finds:

1. This standard is not applicable.

Motion by Chairman Drollinger, seconded by Commissioner Harris, that this standard as it is not applicable. Motion passed by unanimous voice vote.

M. All parking areas shall be so designed to facilitate efficient and safe vehicular and pedestrian circulation, minimize congestion at access and egress points to intersecting streets, including the use of service drives as appropriate, and minimize the negative visual impact of such parking areas.

The Planning Commission finds:

1. The site plan depicts parking for 8 vehicles with a one entrance and one exit onto N. Genessee. (Exhibit 3)

Motion by Commissioner Seman, seconded by Commissioner Dewey, that this standard has been met. Motion passed by unanimous voice vote.

N. Residential and nonresidential development shall not include unnecessary curb cuts and shall use shared drives and/or service drives where the opportunity exists unless precluded by substantial practical difficulties.

The Planning Commission finds:

1. There is one entrance and one exit to accommodate the one-way flow of traffic from and onto N. Genessee. (Exhibit 3)

Motion by Commissioner Dewey, seconded by Commissioner Seman, that this standard has been met. Motion passed by unanimous voice vote.

O. The site plan shall provide for the appropriate location of all necessary and proposed utilities. Locational requirements shall include underground facilities to the greatest extent feasible.

The Planning Commission finds:

1. This standard is not applicable.

Motion by Commissioner Harris, seconded by Chairman Drollinger, that this standard is not applicable. Motion passed by unanimous voice vote.

P. Site plans shall conform to all applicable requirements of state and federal statutes, and approval may be conditioned on the applicant receiving necessary state and federal permits before the Zoning Permit is issued.

The Planning Commission finds:

1. Antrim County Soil Erosion has provided an exemption for the shed in the upland on skids. (Exhibit 4)

Motion by Commissioner Harris, seconded by Chairman Drollinger, that this standard has been met. Motion passed by unanimous voice vote.

Q. The applicant shall demonstrate that reasonable precautions will be made to prevent hazardous materials from entering the environment, including:

1. Sites at which hazardous substances are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, ground water, lakes, streams, rivers, or wetlands.
2. General purpose floor drains shall only be allowed if they are approved by the responsible agency for connection to a public sewer system, an on-site closed holding tank (not a septic system), or regulated through a State of Michigan groundwater discharge permit.
3. State and federal agency requirements for storage, spill prevention, record keeping, emergency response, transport and disposal of hazardous substances shall be met. No discharges to ground water, including direct and indirect discharges, shall be allowed without required permits and approvals.

The Planning Commission finds:

1. There are no hazardous materials. This standard is not applicable.

Motion by Commissioner Dewey, seconded by Chairman Drollinger, that this standard is not applicable. Motion passed by unanimous voice vote.

Chairman Drollinger reviewed the draft motion for a decision and then made the motion which was supported by Commissioner Seman.

Motion by Chairman Drollinger seconded by Commissioner Seman, to approve based on the findings of fact and the site plan review standards, to add the rental of bicycles to be stored in a 12' x 20' shed on skids, a retail outlet with gross floor area of 5,000 square feet or less without outside storage. The hours and season of operation shall coincide with the operation of the pontoon livery; May through October from 8:00 a.m. to 7:00 p.m. Previously approved off-street parking for 13 vehicles shall be maintained. Storage shed to be located in compliance with setbacks.

Chairman Drollinger then asked if there was any discussion. Commissioner Dewey asked about the number of bicycles. Mr. Snook said that there could be as many as 20 bicycles, however, some might stay at the resort. Commissioner Harris referred to the route maps and thought they should be included for public safety because of the location at the top of the hill. Mr. Snook explained that the rental agreement requires renters to comply with state law. Routes will be suggested. Not all bikes will be going in the same direction. Commissioner Harris wondered about this will not create a hazard. Zoning Administrator Luckett wondered about the age limit. Mr. Snook explained that these bikes are Class II and there are no age limits. His agreement will set a limit of 18 and older. Under the law, helmets are optional for those 18 and older. He will require a waiver for adults who choose not to wear a helmet. Commissioner Dewey expressed concern that this could really take off and become a Mackinac Island situation. He proposed to limit the number of bikes at this location. Mr. Snook stated that right now he can only store 20 bikes. If he outgrows the shed, he would have to come back. The motion was amended by Chairman Drollinger to include not more than 20 bikes. Commissioner Seman supported the motion.

Motion by Chairman Drollinger seconded by Commissioner Seman, to approve based on the findings of fact and the site plan review standards, to add the rental of no more than 20 bicycles to be stored in a 12' x 20' shed on skids, a retail outlet with gross floor area of 5,000 square feet or less without outside storage. The hours and season of operation shall coincide with the operation of the pontoon livery; May through October from 8:00 a.m. to 7:00

p.m. Previously approved off-street parking for 13 vehicles shall be maintained. Storage shed to be located in compliance with setbacks. Motion passed by unanimous voice vote

c) Short Term Rentals: Zoning Administrator Luckett reported that the packet included an update on the proposed short-term rental legislation. It appears that the state will not be preempting local regulation of short-term rentals. Under the current proposal, renting out a property for 14 days or less would not constitute a short-term rental subject to regulation or local zoning. The proposed draft ordinance had identified short-term rentals of being less than 30 days a year. Under this proposal if the property is rented for no more than 14 days per year it would not be regulated. The concern about fireworks has been addressed by state law. The last question had to do with rental frequency. The proposal limits rentals to once in any seven-day period. Previously, the Planning Commission had not wanted to take action until the legislation was passed. Zoning Administrator Luckett asked whether that had changed. Mr. Snook, as a resort owner, was asked his opinion. He thought that renting out an entire home is a commercial use. He has gone to the Florida Keys. The minimum rental period for an entire home is thirty days. There are other commercial rentals like hotels/motels and bed and breakfast inns that accommodate shorter rental periods. Commissioner Harris added that local Air BnBs are not regulated. He lives across from one and sees issues first hand. Mr. Snook explained that he has very strict limits in their rental agreements. He only rents by the week. In his opinion, renting entire homes should be a minimum of thirty days. There was discussion about various rental experiences and opinions on both sides of the issue. Generally, the Planning Commission is supportive of rentals.

d) Front - Side - Corner Setbacks: Chairman Drollinger reported that he has been inundated with concerns about the setbacks. People would like to do things with their homes and cannot because they are in violation. He is proposing that setbacks on the table be adjusted. 15' on the front; 15' on the rear; and 5' on the side. Zoning Administrator Luckett requested they review the Schedule of Regulations. Chairman Drollinger has already spoken with legal counsel about the proposal. Legal counsel suggested the table be amended and that the Planning Commission meet more frequently. The recommendations include R-1, R-2 and Village Commons front setbacks reduced from 25' to 15'. R-3 is already 15'. Commercial front setback will be left as is. Manufacturing front setback reduced to 25'. Side setbacks will not be changed. For rear setbacks, R-1 and Village Commons should be reduced to 15'; Central Business District will stay the same; Manufacturing will stay at 25'. For a corner lot, a 45degree angle is proposed. Measure corners in the R-1 and Village Commons district, 25' from the intersection point of the front and side property lines. The intent is to lighten the burden, to bring more properties into conformity. The goal is to have this done in 60 days. A special meeting will be set for Tuesday, October 8. 201 9 at 5:00 p.m.

e) R.V. Parking: Chairman Drollinger explained that there was an established standard for extreme medical emergency and for use during construction of a home but not for long-term renovations/remodeling. The current provision may be amended to include other times, repaired due to damage or alteration. A permit will be required to make sure that it is not used as a dwelling.

8. Correspondence/Reports a) Zoning Administrator's Report: The report for the preceding five years was reviewed. Zoning Administrator Luckett stated that she is currently working on the 2019 report that will be completed in December. The report will reference comments and budget items, including monthly meetings. The other reports cover permits issued since the last meeting. Lastly, she reported that the Master Plan had been reviewed by the MEDC Regional Coordinator who said the report was lacking in two areas. Zoning Administrator Luckett is currently working with Networks Northwest representatives to develop language that will satisfy the RRC requirements.

9. Member Comment: Commissioner Seman asked about the neighbor's home that has been under construction for over 14 years and whether anything can be done.

10. Adjournment: Meeting adjourned at 7: 00 p.m.
Minutes compiled by:
Lori Luckett, Zoning Administrator & Recording Secretary

Approved: _____
William Drollinger, Chairman
Date: _____