

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, September 28, 2005

This meeting of the Lake Township Planning Commission was called to order at 7:05 PM by Chairman Lou Colletta. Also present were planning commission members McCallum, Geppert, Lalley and Ehrlich along with 45 guests.

Chairman Colletta **opened the public hearing on the proposed rezoning** as published on September 16 and September 21, 2005.

Questions were asked about which specific properties will be affected by the proposed changes, why the commercial properties in Section 16 across from the Old Sandcrest Market are not being rezoned to residential as well as the commercial property across from Bayview Condos; numerous objections to the word "waterfront" being included in the R-1 district title; and what is allowed in the Residential-Business District.

The following objections were noted for the record:

Objection by Ray Azzow to rezoning his property on Oak Beach Road to residential;

Objection by David Herrington on behalf of Thomas Hedger, 4334 Port Austin Road to the rezoning to R-1 Waterfront. Mr. Herrington also objected to the Interim Zoning Ordinance claiming that it was not properly adopted.

Objection by Mark Krebs.

Objection by Larry Crews, but no comment at this time.

Correspondence was read, including a letter from Gerry Simmons in regard to the rezoning of the Oak Beach Auto Repair Industrial property to General Business; and email correspondence from the following individuals:

Fred Bauer

Joseph E. Kainz

Cindy Kainz

There were complaints made by Len Babisz and David Szumlinski regarding the commercial property in Section 16 owned by Paul Beck. Mr. Babisz inquired as to whether Mr. Beck had obtained any permits from the Township to operate four businesses at this location. He also claimed that the petition circulated by Mr. Beck when the Township recommended rezoning the entire general business area around Mr. Beck's, including Mr. Beck's property, to residential, was falsified.

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, September 28, 2005

Laura Simmons asked about the rezoning of her property from industrial to general business and whether the business currently existing would be allowed to continue as a legal conforming business. Chairman Colletta stated that the Planning Commission was advised by their planner that the planning commission can grant a special use permit at the time of rezoning. Ms. Simmons stated that they would have no problem with that, that her property should not be industrial.

Louis Bushey asked about the Industrial property on Kinde Road.

Chairman Colletta **closed the public hearing** at 8:30 P.M.

Complaint filed by Alfred Bracciano regarding drainage from adjacent property read.

Minutes of September 14, 2005 read. Motion by Geppert to approve, seconded by Lalley. Motion carried.

Site Plan Review:

1. **Dennis and Beverly Herford, 4986 Port Austin Road.** Site plan shows the seawall is 4' from the OHWM and 16' from the seawall to the proposed porch. The zoning ordinance requires a 35' setback from the OHWM. Owners will have to apply for a variance. Approval was recommended for the deck on the west side of the dwelling.
2. **Mary Cera, 6718 Taylor Drive.** Aaron Britt, the builder, stated that Ms. Cera wants to rebuild her porch on the existing footprint. Approval recommended.
3. **Bill Simmons, 6701 Oak Beach Road.** Site plan for a fence as a barrier for automobiles brought in by tow truck. Approval recommended.
4. **Thomas Hedger, 4344 Port Austin Road.** Site plan and prints for an addition off the west side of the existing dwelling as well as the addition of a second story over the entire structure were presented. The existing dwelling is 7'4" from the road right-of-way on M-25. Plans are within lot coverage percentage of 25%, in compliance with the 30 degree angle on the waterfront, and meet the waterfront setback from the OHWM and the east side property line setback. The plans

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, September 28, 2005

do not meet the side yard setback on the west side, the front yard setback from the road right-of-way and possibly the distance from the overhead electrical wires. If applicant wishes to proceed with these plans, he will need to apply for a variance.

David Herrington requested copies of the letter submitting the Interim Zoning Ordinance to Russ Lundberg as well as Mr. Lundberg's response and the proof of publication of the Interim Zoning Ordinance.

5. **Brian Lantzy, 3952 Mary Ann Lane.** New home. Setbacks met. Approval recommended.
6. **Dale Oldani, 6560 Huron Drive.** Porch. Setbacks met. Approval recommended.
7. **Steve Rybinski, 3645 Sand Road.** Deck. Setbacks met. Approval recommended.
8. **Earl Larremore, 6745 Morrison Drive.** Addition of lean-to off side of existing accessory building. Currently has four accessory structures on property, only two are allowed. Approval not recommended unless one accessory structure is removed.
9. **Mary Jo Tarrien, M-25 and Quarry Road.** The structure is nonconforming in that it does not meet setbacks. A letter needs to be sent to the Health Department that the septic requirements must meet state health codes.

Zoning Administrator Russell showed photos of a cement patio constructed at 4225 Port Austin Road. Property owner did not file a site plan. A stop work order was posted. Planning Commission verified that a site plan is required in order to verify setbacks and lot coverage.

Discussion on proposed rezoning. Motion by Geppert to recommend removal of the word "waterfront" from the R-1 Single Family Residential District, seconded by Lalley. McCallum and Ehrlich opposed. Motion carried.

Motion by McCallum to recommend keeping the property in Section 13 on Oak Beach Road currently zoned General Business as General Business at this time, seconded by Colletta. Motion carried.

Motion by Geppert to recommend rezoning the Industrial property on Oak Beach Road to General Business with a special use permit issued to Henry Simmons for Oak Beach Auto Repair & Towing, seconded by Ehrlich. Motion carried.

LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes
Wednesday, September 28, 2005

Discussion on rezoning the General Business properties on the north side of M-25 to Residential-Business. Motion by McCallum to table further discussion until next meeting, seconded by Colletta. Motion carried.

Discussion on parcel of approximately 13 acres in Section 13 currently zoned General Business. Motion by Geppert to table further discussion of this until next meeting, seconded by Colletta. Motion carried.

Motion by Colletta to table discussion on Industrial property on Kinde Road in Section 34 until next meeting, seconded by Geppert. Motion carried.

Motion by Ehrlich to adjourn, seconded by Lalley. Meeting adjourned at 10:55 P.M.

Valerie McCallum,
Secretary