

# LAKE TOWNSHIP PLANNING COMMISSION

Unapproved Minutes  
Wednesday, October 25, 2006

This meeting of the Lake Township Planning Commission was called to order at 7:00 PM by Chairman Lou Colletta. McCallum, Geppert, Ehrlich and Lalley present along with approximately 15 guests.

Motion by Geppert, seconded by Lalley to approve the minutes of the September 27, 2006 meeting, motion passed.

Motion by Ehrlich, seconded by Geppert to approve the minutes of the October 19, 2006 meeting, motion passed.

Harry Suri of 4150 Port Austin Road and a representative from Robert-Thomas Landscape Environments presented a landscape plan for his property. Large trees shown on the plan are existing and will stay. The plan takes into consideration the 30 degree rule as to not block the lake view of adjacent property owners with any vegetation. Evergreens will be limited to the south side of the property and 95% of the planting will only reach 3 ½' to 4 ½' when fully grown. The proposed rock wall shown on the perimeter of the property is still awaiting MDEQ approval. There will be no berms or grade changes to the property.

Recommendation by the commission to accept the landscape site plan as presented.

There will be no regular Planning Commission meeting in November. The commission recommended a joint meeting with the board on November 20, 2006 at 6PM. The Public Hearing will be from 6-7:30PM prior to the regular board meeting.

Discussed the current site plan review process. Recommendation to change the ordinance to read "to be set by board policy." This will allow the simpler sheds, garages, decks, etc. to be reviewed by the Zoning Administrator. Site plans for waterfront, nonconforming, businesses and commercial would still be required to go before the commission. Commission would like to address this issue at the Public Hearing on November 20<sup>th</sup>.

Discussed Zoning Ordinance Change Recommendation of parcels fronting on Pine Drive Section 13-B-1 to R-2. Motion by McCallum to rezone Section 13 from B-1 to R-2, seconded by Colletta, motion passed.

Discussion on R-B District. The word *Inn* appears in the new ordinance. Lake Township does not have a definition for *Inn*. Motion by Lalley to remove the word *Inn* from Chapter 10 of the new ordinance, seconded by Geppert, motion passed.

Discussion on language in Chapter 10 Section 1003A. Motion by McCallum to remove paragraph A in Section 1003 of Chapter 10, seconded by Colletta, motion passed.

Tabled the review of the Mining & Excavation Ordinance.

Discussion on the proposed Overlay Zone. Commission addressed a number of the residents comments from the September 27, 2006 Public Hearing. Residents were concerned about the view shed requirements, height restrictions, façade recommendations and they felt the suggested native plant list was too restrictive.

The commission stated that the intentions of the overlay district were to:

- Protect and improve water quality
- Discourage bigfoot homes that block the views of adjacent property owners
- Preserve the rural character of the area
- Provide recommendations so commission and residents can have a working relationship during the building process
- Maintain the scenic areas of the township

Members of the audience thought the motives were good but that sections of the ordinance need clarification or a change in wordage. A suggestion was made to limit the maximum number of lots that can be combined and built on. To protect the water quality people felt it would be best to develop a policy of septic tank reviews, administered by the township. In Section 4 Site Design Standards, 4.1 View sheds, audience members would like #2-3 deleted and only #1 "View sheds shall be considered in all development proposal applications", will remain.

Due to time restraints further discussion on the Overlay District was tabled.

Mark Krebs presented the commission with a packet of materials pertaining to his R-B District Zoning issue.

Mr. Krebs stated that his parents purchased Krebs's Cottages in 1962 as a motel and have been paying Use Tax to the State of Michigan

as motel operators. Krebs is concerned because the new ordinance does not include the word *Motel* in R-B-Residential Business Section 1002 Uses Permitted by Right or Section 1003 Uses Permitted After Special Approval. He feels the commission should change the ordinance to include *Motel* in Sections 1002 and 1003. He is concerned that he will not be able to advertise as a *Motel* and feels that since a Use Tax is paid to the State of Michigan as motel operators the word *Motel* needs to be in the ordinance.

The commission assured Mr. Krebs that his family may continue to run the business and advertise as a motel, he may also have a sign that says *Motel*. Lake Township's definition of *Motel* clearly states "no kitchen cooking facilities are to be provided without the approval of the Planning Commission, with exception of units for use of the manager and/or caretaker."

Mr. Krebs was advised that under the R-B zoning, he is a conforming use with less restrictive setback requirements than the General Business District and he may continue to advertise as a Motel as zoning is not tied to the state's requirements for Use Tax.

The word *Motel* will not be added to R-B-Residential Business Sections 1002 and 1003 in the new ordinance. The definition of *Motel* will remain unchanged in the Lake Township Ordinance.

Next meeting scheduled will be the joint/Public Hearing on November 20, 2006 at 6:00 P.M. Motion by Colletta to adjourn, seconded by McCallum. Motion carried. Meeting adjourned at 9:15 P.M.

Kathleen Bolton, Recording Secretary