

**Lake Township Planning Commission**  
**Regular Meeting**  
**Wednesday, March 22, 2023**  
**Approved Minutes**

The meeting was called to order at 6:09PM. Planning Commission members in attendance were Bob Siver, Keith Hoffman, Tim Lalley and Tim Quinn and Nicole Collins. There were 2 guests virtually.

Motion by Collins, second by Hoffman to approve the agenda. All ayes, motion carried.

Motion by Collins, second by Hoffman to approve the January 12, 2023 minutes. All ayes, motion carried.

**Correspondence:** Zoning Report for January 2023  
Landplan, January 20, 2023 re: Zoning Ordinance Amendment Issues

**Old Business:** None

**New Business:**

**Zoning Ordinance Amendments:**

**1. Increasing variance expiration period to at least 1 year (Section 16.6(C)(3)(b)).** By a vote of 5 Yes, 0 No, the PC members were in agreement to extend the variance expiration period from six (6) months to one (1) year.

**2. Rear yard setback for R-1 District appears to be a typo and should be consistently 10' for non-lakefront lots (Table 3-4, Footnote 7(B)).**

Footnote 7(B) reads as follows:

***B. Non-Lakefront lot in R-1 and R-2 Districts:*** *The minimum rear yard setback for a non-lakefront lot created after the effective date of this Ordinance in an R-1 or R-2 District shall be twenty (20) feet. The minimum rear yard setback for a non-lakefront lot created prior to the effective date of this Ordinance in the R-2 District shall be ten (10) feet.*

By a vote of 4 Yes, 1 No, the PC members were in favor of adding R-1 District to the second line of the Table 3-4, Footnote 7(B).

**3. The 30° Rule of Table 3-4 permits a nonconforming structure to dictate where a neighboring structure can be placed (Footnote 7)(A)(2).**

Footnote 7(A)(2) reads as follows:

***A-2. 30° View Setback:*** *In addition to subsection one (1), in no case shall a proposed building, structure, tree or other plant material be located on a lakefront lot so as to extend toward the lake a distance beyond an imaginary line extending at a 30° angle from the corner of the dwelling on an adjacent lot. The "corner of the dwelling" shall be at the corner of the building nearest to the shared lot line that is part of the building wall oriented toward the*

*lake. This subsection (2) shall not apply to features no greater than four (4) feet in height from the ground below, and shall not apply where the existing dwelling is set back from the rear lot line more than one hundred (100) feet.*

At issue here is how to balance the desire to afford landowners with reasonable flexibility in the development of residential lots versus assurances of comparatively wide-angle views of the waterfront.

By a vote of 4 Yes, 1 No, the PC members chose approach #3 as provided by Landplan Inc. to provide some relief. This approach reads: *Base the measure of the 30°-line according to where the neighboring existing dwelling would be located if the existing dwelling was moved toward the waterfront a distance equal to 50% (by example only) of the setback encroachment of the existing dwelling (a 10' front yard encroachment would result in the 30°-line being moved 5' further toward the waterfront.*

Discussion began on item **4: Consider using setbacks of existing dwellings in determining the setback for new adjacent dwellings (or modifications to existing dwellings) as opposed to the standard 25" setback currently required in Residential Districts, etc.**

This item will be continued at the next regular PC meeting therefore there was no consensus reached at this time.

Although agreement was found on items related to the rear setback and the 30° rule, the remaining issues related to the zoning ordinances will need to be reviewed before final recommendation is made to the Board of Trustees.

**Approval of April 2023-March 2024 Regular Meeting Schedule.** Motion by Collins, second by Hoffman to approve the schedule as presented. All ayes, motion carried.

**Public Comments:** None

There being no further business, motion by Colling, second by Hoffman to adjourn. All ayes, motion carried. Meeting was adjourned at 8:37PM.

Minutes prepared by:  
Maryanne Williams,  
Deputy Clerk