

Lake Isabella Planning Commission
February 13, 2018
Regular Meeting Minutes

1010 Clubhouse Drive
Lake Isabella, MI 48893
989.644.8654

The meeting was called to order at 7:01 PM by Planning Commission Chairman Dave McGrath. The Pledge of Allegiance was recited by those in attendance.

Members Present: Grey, Laraway, Tafreshi, Preuss, & McGrath
Members Excused: Simon & Schofield

A motion was made by Tafreshi, seconded by Preuss, to approve the Agenda as presented. VOICE VOTE: MOTION CARRIED 5-0-0.

A motion was made by Laraway, seconded by Tafreshi, to approve the minutes of the January meeting as presented. VOICE VOTE: MOTION CARRIED 5-0-0.

Chairman's Report: None

Village Manager's Report: Wolff supplied the Planning Commission with a written report in advance of the meeting. In the report, he submitted information on winter street maintenance for January, and also the "calls for service" handled by Isabella County Central Dispatch for Lake Isabella in 2017. Wolff also reported on the Agreement to amend the Building & Use Restrictions for Lake Isabella South and Lake Isabella Golf Estates #2. He stated that the agreement was approved by the Isabella County Board of Public Works in late January and has been recorded.

Grey thanked Wolff for his work on this project. He stated that he remembers years ago when previous members of the Planning Commission were adamant that the State would never agree to change the restrictions short of a sewer system, and he is very happy that those views were proven wrong.

Village Council Report: None

Public Hearings:

1. Proposed Ordinance 2018-01; Proposed Ordinance 2018-01, Conditional Rezoning Request for 565 N. Coldwater Road.

Chairman McGrath opened the Public Hearing at 7:08 PM.

Wolff provided a staff report to the Planning Commission to review regarding this application. He reminded the Planning Commission that conditions attached to a conditional rezoning must be offered by the Applicant, and may not be forced by the Village.

Mike Fiorillo and his daughter Sarah Fiorillo were present and are the Applicant for this request. Mr. Fiorillo stated that they are seeking a map amendment which would allow them to convert his existing home into a Bed & Breakfast. He stated that his home is a barn built around 1910 that he has converted into a

dwelling. In his opinion, he feels that there would be no negative impact on the community if he is allowed to operate a Bed & Breakfast at his property. He stated that the plan they are moving forward with would have the entire home being rented out at one-time, and not individual rooms.

Sarah Fiorillo discussed the plans to host the site on Airbnb. She stated that they plan to use this company as their host and booking partner as they have \$1,000,000 in property and liability coverage. She also stated that they plan to have somebody at the property whenever a guest is present.

Laraway asked about plans for an emergency escape from the 3rd-floor guest rooms. Mike Fiorillo said the plans are for them to use the stairs inside the dwelling, and to convert the windows in those rooms to suitable windows to meet the requirements of the residential fire code.

Grey asked if each the bedrooms on the upper floor would have at least 100 square feet. Mike Fiorillo stated that they would have at least 100 square feet.

Laraway asked if there any ADA issues that he would need to address. Mike Fiorillo stated that he was unaware of any action he would need to take regarding the ADA.

Public Comment: None

McGrath closed the Public Hearing at 7:16 PM.

A motion was made by Grey, seconded by Tafreshi, to recommend Proposed Ordinance 2018-01 to the Village Council. VOICE VOTE; YEAS: Grey, Tafreshi, Preuss, & McGrath; NAYS: Laraway. MOTION CARRIED 4-1-0.

2. Proposed Special Land Use 2018-01; Proposed Accessory Structure 1179 Queens Way

Chairman McGrath opened the Public Hearing at 7:27 PM.

Wolff provided a staff report to the Planning Commission to review regarding the application.

The Applicant, Jerred Peterson, was present and discussed the project he would like to pursue. He would like to build a detached garage across the street from his dwelling at 1179 Queens Way. The footprint of the structure would be 1,280 ft² and have three doors facing Queens Way. He said he would like to store his RV, golf cart, and other personal items inside the garage. He stated that the location they selected was done so to work around the large oak trees on the lot.

Grey asked if he was planning on using the overhang on the back of the structure to store items. The Applicant stated that the area under the overhang was planned to be used as a sitting area.

The Applicant stated that he is planning on having windows on the front of the building either in the doors or above the two smaller doors. He asked about the ability to exceed 1,280 ft². Wolff stated that as the Zoning Administrator he would not be able to approve a permit in excess of that size unless a variance was obtained from the ZBA.

McGrath asked if there was any living space planned for inside the structure? The Applicant stated that there would be no living space inside, just personal storage.

Public Comment:

- Deb Stanton of Granada Court stated she was encouraged by the changes made by the Village in allowing garages to be built across the street from homes.
- Mike Scherba of Isabella Vista questioned the size of the proposed overhang on the rear of the building, and stated he feels this area should be factored into the square footage.

Grey asked the Applicant about the overhang. The Applicant stated that he was unsure but would likely be between 6 and 10 feet based on what his builder is able to design.

Wolff explained again that the Village's ordinance only factors into consideration the footprint of the structure. He stated that there is an illustration which shows how this term is to be applied in the review process, and that is where the structure is physically connected to the ground.

McGrath closed the Public Hearing at 7:42 PM.

A motion was made by Tafreshi, seconded by Laraway, to conditionally approve proposed Special Land Use 2018-01 with the following conditions:

1. A new floor plan is submitted which has the required offset of at least 4 feet if there is façade facing Queens Way greater than 30 feet in length.
2. New drawings are submitted which show the correct roof, including the height from grade to peak.
3. New drawings are submitted showing the exterior finishes of windows, doors, other elements, or required landscaping along the side walls.
4. A deed naming the Village of Lake Isabella as a party to enforce and prevent decoupling is submitted and approved that combines lot 544 and 578. Lot 579 will need to be included as well if the Applicant is not planning to keep the required minimum side yard between lots 578/579.
5. Any light fixtures which are placed more than 10' above grade be shielded and all light directed downward so that the light source is obstructed from direct view.
6. The use of the Accessory Structure shall be limited to the personal storage of the resident of 1179 Queens Way, and may not be used to operate a Home Occupation as defined in the zoning code or other business without seeking additional approvals from the Village.
7. The Zoning Administrator is authorized to issue a zoning permit when the above items are satisfied for a single-story Accessory Structure with a footprint not to exceed 1,280 ft².

VOICE VOTE: MOTION CARRIED 5-0-0.

3. Proposed Special Land Use 2018-02; Proposed Accessory Structure 1052 Lincoln Drive

McGrath opened the Public Hearing at 7:45 PM.

Wolff provided a staff report to the Planning Commission to review regarding the application.

The Applicant, Brent Peavey, was present to discuss his development plans with the Planning Commission. The Applicant would like to construct a detached garage of 1,280 ft².

Wolff explained that the Zoning Code allows for a “by right” size for detached garages of 1,088 ft², and on properties under 2 acres in size a Special Land Use size of 1,280 ft².

Grey asked the Applicant about any plans for paving the driveway. The Applicant stated that it is his long-term plan to do so, but first is planning on paving the driveway to the house.

McGrath asked if there was any driveway planned between the detached garage and the home. The Applicant stated that there would only be a walkway between the two structures.

Grey asked if there was any living space planned for inside the detached garage. The Applicant stated that there would be no living space, but may look to install a bathroom at some point in the future.

The exterior finish of the structure facing Lincoln Drive was discussed. It was noted that the Applicant’s drawings do not show the required offset on the façade of at least 4 feet due to the length of the wall being over 30 feet, and there does not appear to be the required two features on that façade.

Public Comments: None

A motion was made by Laraway, seconded by Tafreshi, to conditionally approve proposed Special Land Use 2018-02 with the following conditions:

1. A new floor plan is submitted which has the required offset of 4 feet if there is façade facing Queens Way greater than 30 feet in length.
2. New drawings are submitted showing the exterior finishes of windows, doors, other elements, or landscaping discussed and agreed to between the Applicant and Planning Commission. This drawing should also include the total height of the structure from grade to peak.
3. A deed naming the Village of Lake Isabella as a party to enforce and prevent decoupling is submitted and approved that combines lots 268, 270, 271, & 272.
4. Any light fixtures which are placed more than 10’ above grade be shielded and all light directed downward so that the light source is obstructed from direct view.

5. The use of the Accessory Structure shall be limited to the personal storage of the resident of 1052 Lincoln Drive, and may not be used for commercial storage purposes or other business activity without first seeking and obtaining additional approvals from the Village.
6. The Zoning Administrator is authorized to issue a zoning permit when the above items are satisfied for a single-story Accessory Structure with a footprint not to exceed 1,280 ft².

VOICE VOTE: MOTION CARRIED 5-0-0.

Public Comments:

- Brandon Wegener of Bonanza Lane spoke about Proposed Ordinance 2018-02. He stated that he was opposed to “self-service storage facilities” being located in the Airport Residential District. He stated that it was in conflict with the plat’s Building & Use Restrictions and that it was not fair for that use to be allowed in the Airport Residential District but not in the other residential zones.

Existing Business:

1. Proposed Ordinance 2018-02; Airport Hazard Area Overlay Zones

Wolff reviewed the rough draft he has prepared to address the Airport Approach Plan in the zoning code. The draft presented creates an overlay district of the various hazard areas. Within each hazard zone restrictions are broken down by zoning district to limit height and use provisions.

Wolff stated that the land uses he based on the restrictions on were taken from the list of Proposed Ordinance 2017-02. He suggested that the March meeting be devoted to looking at these two proposed ordinances and then hopefully having them ready for a Public Hearing in April.

He also discussed that he had reached out to the Sheriff on allowing aircraft to access the runway via Bonanza Lane. The conclusion from the Sheriff’s review of the issue is that an aircraft could cross a public right-of-way to get from one side of the road to the other, but could not be driven down the road.

Based on this information, it was discussed whether it was appropriate to continue to allow hangars to be developed in areas where aircraft could not access the runway. Wolff suggested that this issue be part of the discussion in March.

New Business:

1. Overlapping Frontage / Garage Across the Street Discussion

The Planning Commission reviewed and discussed the results of the survey taken by the Planning Commission and Village Council. Several concerns were discussed regarding the current lack of guidance on how to determine overlapping frontage. It was discussed that there might need to be created a list which shows matching pairs on cul-de-sacs. There was additional discussion about limiting the distance between lots. Several members also discussed whether there should be wording which directs development to be located so that, if possible, there are overlapping frontages of the structures.

There was discussion regarding using side lot lines to help determine what is overlapping. One concern voiced was that for cul-de-sacs development is usually oriented toward the street and not side property lines.

Wolff suggested that he would seek some guidance from the Village attorney on whether the Planning Commission could be granted the authority to determine if two lots are overlapping based on any future changes to the ordinance. He stated he would report back to the Planning Commission at the next meeting.

Public Comments: None

With no further business, the meeting was adjourned at 8:58 PM.

X\ Jeffrey P. Grey
Jeffrey P. Grey
Village Clerk