



1010 Clubhouse Drive  
Lake Isabella, MI, 48893  
989.644.8654  
office@lakeisabellami.org  
www.lakeisabellami.org

**Planning Commission  
Regular Meeting Agenda**

**September 11, 2018  
7:00 PM**

- I. Call to Order & Pledge of Allegiance**
- II. Roll Call of Members:**

Robert Laraway	Bill Preuss
Tom Courser	Farzad Tafreshi
Councilman Jeff Grey	Mike Simon
Chairman Dave McGrath	
- III. Agenda Approval**
- IV. Approval of Minutes:** August 14, 2018, Regular Meeting
- V. Reports:**
  - 1. Chairman
  - 2. Village Manager
  - 3. Village Council
- VI. Public Hearings: None**
- VII. Public Comments**
- VIII. Existing Business:**
  - 1. Proposed Ordinance 2018-05; Regulation of Garages
  - 2.
- IX. New Business:**
  - 1. Regulation of Short-term Rentals - Discussion
  - 2.
- X. Public Comments**
- XI. Adjournment**

Planning Commission Chairman McGrath called the meeting to order at 7 PM, and the Pledge of Allegiance was recited by those in attendance.

**Members Present:** Courser, Grey, Laraway, Preuss, Simon, Tafreshi, & McGrath  
**Members Absent:** None

**Agenda Approval:**

Tafreshi made a motion, which was seconded by Simon, to approve the Meeting Agenda as presented. VOICE VOTE: MOTION CARRIED 7-0-0.

**Approval of Previous Meeting Minutes:**

Grey made a motion, which was seconded by Simon, to approve the minutes of the July 17, 2018 meeting as presented. VOICE VOTE: MOTION CARRIED 7-0-0.

**Reports:**

1. Chairman: None
2. Village Manager:

Wolff reviewed the proposals submitted by Granger, King's, and Republic for residential refuse licensing. Preuss asked if the number of bags listed on King's proposal was the number of bags allowed in the cart, or in addition to the cart. Wolff stated the Council had asked them this question.

3. Village Council:

Grey discussed the events of the July meeting and the August 8<sup>th</sup> Special Meeting. He discussed the Council's discussion and its revote on the hard-surfaced floor requirement for Private Aircraft Hangars.

Laraway asked if there were any members of the Council who owned property that would be impacted by the regulation of Private Aircraft Hangars. Grey stated that Kiel owns a Private Aircraft Hangar, but all existing structures would be legally grandfathered under the Zoning Enabling Act and would not be required to meet new regulations unless they proposed to modify their structure.

Wolff reported that Shoemaker also owns undeveloped property which potentially would be impacted if it was developed as a Private Aircraft Hangar, but that Mr. Shoemaker was absent from the meeting and did not vote on the issue.

Wolff also distributed materials regarding Short-term rentals. He stated that the Council has asked that the Planning Commission review this topic in light of the Conditional Rezoning of 565 N. Coldwater Road. Wolff asked for the Planning Commission to review the materials he supplied, and then discuss the topic at the meeting in September.

**Public Hearings:**

1. Proposed Ordinance 2018-07; Setback Amendments:

McGrath opened a Public Hearing for Proposed Ordinance 2018-07 at 7:22 PM.

Wolff reviewed the document and changes proposed for the zoning code.

Public Comment: None

Planning Commission Discussion:

Laraway stated that Bill Scott on Sandtrap Drive had contacted him about the proposed changes and indicated support for amending the zoning code.

McGrath closed the Public Hearing at 7:24 PM

Laraway made a motion, which was seconded by Grey, to recommend Proposed Ordinance 2018-07 to the Village Council for adoption. VOICE VOTE: MOTION CARRIED 7-0-0.

2. Proposed Ordinance 2018-08; Planning Commission Ordinance Update:

McGrath opened a Public Hearing for Proposed Ordinance 2018-08 at 7:26 PM.

Wolff reviewed the document and changes proposed for the zoning code.

Public Comment:

Paul Cueny of Clubhouse Drive spoke in favor of the proposed changes and stated that it would help address any perception issues that could arise from having Courser on the Planning Commission since he also serves as the Airport Manager.

Planning Commission Discussion: None

McGrath closed the Public Hearing at 7:32 PM

Grey made a motion, which was seconded by Laraway, to recommend Proposed Ordinance 2018-08 to the Village Council for adoption. VOICE VOTE: MOTION CARRIED 7-0-0.

**Public Comments:**

Paul Cueny of Clubhouse Drive spoke about the proposed changes to section 1212.13(6) being reviewed under Existing Business. He stated that the sanitation code used by the County only requires a 10-foot setback for septic tanks and drain fields from basements, not from accessory structures or areas of a primary structure without a basement. The Planning Commission discussed these concerns and asked to have the language under consideration forwarded to the Health Department for review and comment.

**Existing Business:**

1. Proposed Update to Garage Regulations:

The proposed changes to several sections of the zoning code were discussed. The Planning Commission reviewed the proposed formatting change to Section 1212.29. After discussion, they asked to have that part completed with the same general regulations applicable to sheds for review in September.

Grey asked if all garage doors should be required to have windows or only taller doors. After discussing the issue, the Planning Commission felt that requiring windows on more massive doors was appropriate.

Wolff stated he would work on completing Section 1212.29 and hopefully have a draft ready next month.

**New Business:**

1. **Redevelopment Ready Communities:**

The Planning Commission reviewed the Village's Baseline Report from the MEDC. Wolff asked if there were concerns from members of the Planning Commission on the Village moving forward the process.

Laraway, Grey, Simon, and Tafreshi all voiced support for the Village's continued involvement in the program.

**Public Comments:** None

With no further business, the Village Council adjourned at 8:46 PM.

---

Jeffrey P. Grey  
Village Clerk



September 11, 2018  
Planning Commission Meeting

## Village Manager's Report

---

### **Department of Public Safety:**

- Lake Patrols are done for 2018.

### **Department of Public Works:**

- We completed asphalt repair jobs on Carmen Drive and Par Drive.
- B&E Coating has been given a Notice to Proceed for crack sealing. They have stated that they plan to schedule us sometime after Labor Day.

### **Department of Community Development:**

- Code Enforcement & Permit numbers are attached.
- We may have a Site Plan to review in the next month or two. I can discuss this in more detail at the meeting.

### **General Government:**

- There will be an Open House at the Village Hall on Saturday, September 15<sup>th</sup> from 10 AM until 11:30 for residents to meet the three companies interested in providing trash service to the community.
- I will be in Grand Rapids on September 19-22 for the MML Annual Convention.



Village of  
Lake Isabella

**2018 Permits** Permits in Yellow are Pending

Permit #	Last Name	First	Property Address	Purpose	Date	Plat	Type of Permit
1	Peterson	Jarred	1182 Queens Way	Detached Garage	3/2/2018	Plat 4	Zoning
2	Peavey	Brent	1052 Lincoln	Detached Garage	3/23/2018	Plat 3	Zoning
3	Scahfer	Bernie	1006 Castle Drive	Addition	3/12/2018	Plat 1	Zoning
4	Schelke	Richard	1003 Peguna	Fence	3/12/2018	Plat 2	Zoning
5	Lumbert	Scott	1004 Bishop Lane	Fill-in Ditch	3/20/2018	C.E.	Right-of-Way
6	Koskela	David	1050 Castle Lane	Addition	3/21/2018	Plat 1	Zoning
7	Henry	Cecil	1078 El Camino	Deck	4/3/2018	Bonita Bay	Zoning
8	MacGillivray	Maureen	1216 Clubhouse	New Home & Garage	4/9/2018	Unplatted	Zoning
9	MacGillivray	Maureen	1216 Clubhouse	Fill-in Ditch	4/9/2018	Unplatted	Right-of-Way
10	Hull	Mark	1222 Clubhouse	Fill-in Ditch	4/9/2018	Unplatted	Right-of-Way
11	Owens	Mandy	1063 El Camino	Detached Garage	4/16/2018	L.I. North	Zoning
12	Bayless	Ed	1020 Essex	New Home & Garage	4/26/2018	Plat 3	Zoning
13	Bayless	Ed	1020 Essex	Driveway	4/26/2018	Plat 3	Right-of-Way
14	Ramin	Austin	1220 Clubhouse	Fill-in Ditch	4/9/2018	Unplatted	Right-of-Way
15	Wilson	Gary	1066 Iberian Drive	Detached Garage	4/27/2018	L.I. North	Zoning
16	Hansen	Jeffrey	1254 Clubhouse	Driveway	4/27/2018	L.I. South	Right-of-Way
17	Wilson	Gary	1066 Iberian Drive	Driveway	4/27/2018	L.I. North	Right-of-Way
18	Ramn	Austin	2008 Red Fox	Fence	4/30/2018	Unplatted	Zoning
19	Thren	Stanley	1004 Sevilla	Detached Garage	5/10/2018	Forest 2	Zoning
20	McPhall	Chuck	1057 Crown Point	Enclose Deck	5/17/2018	Plat 2	Zoning
21	Battice	Michelle	1007 Sierra Morrena	Driveway	5/25/2018	L.I. North	Right-of-Way
22	Consumers		Pueblo Pass	Utility	6/1/2018	Unplatted	Right-of-Way
23	Cook	Richard	392 S. Coldwater Rd	Solar Panels	6/7/2018	Unplatted	Zoning
24	Scott	William	1013 Sandtrap	Addition	6/4/2018	Golf Estates 1	Zoning
25	Lein	Janet	1044 Clubhouse	Addition	6/11/2018	Golf Estates 1	Zoning
26	Ward	Konnie	1164 Queens Way	Fence	6/12/2018	Forest 2	Zoning
27	Balcom	Greg	1023 Castle	Shed	6/12/2018	Plat 1	Zoning
28	Kelley	Robert	1258 Queens Way	Addition	6/13/2018	Plat 4	Zoning
29	Hull	Mark	1222 Clubhouse	Addition	6/15/2018	Unplatted	Zoning
30	Bangais	Steve	1083 Lincoln Dr	Shed	6/22/2018	Plat 3	Zoning
31	Jones	Robert	1044 Vallado	Replace Deck	6/27/2018	Woods 1	Zoning
32	Berryman	Bob	810 N. Coldwater	Deck	6/21/2018	Unplatted	Zoning
33	Little Flower Events		565 N. Coldwater	Sign	7/9/2018	Unplatted	Sign
34	Sawade	Matt	1047 Clubhouse Dr	Deck	7/9/2018	Golf Estates 1	Zoning
35	Consumers		Bishop	Utility	6/28/2018	Cantabrian Estates	Right-of-Way
36	Potter	Mike	1009 York	Deck	6/29/2018	Plat 3	Zoning
37	Counseller	Pete	1088 Fairway	Addition to deck	7/10/2018	Golf Estates 1	Zoning
38	Berger	Randolph	1009 Barcelona	Deck	7/18/2018	Forest 2	Zoning
39	Kube	Ken	1255 Clubhouse Dr	Detached Garage	7/23/2018	L.I. South	Zoning
40	Herbert	Richard	1030 Lincoln	Shed	8/10/2018	Plat 3	Zoning
41							
42							
43							
44							
45							



**Code Enforcement Summary Report**

**Report Criteria:**

Status	Assigned To	Census Tract	Violation	Initiation	Open Date Range	Follow up Date Range	Close Date Range
All	All		All	All	From 01/01/2018 To 09/07/2018	From To	From To

**CE Totals**

	Total	Closed Cases	Open Cases
<b>Totals</b>	<b>117</b>	<b>102</b>	<b>15</b>

**CE Cases by Employee**

Employee	Total	Closed Cases	Open Cases
Manley, Jessica	2	2	0
Wolff, Tim	115	100	15
<b>Totals</b>	<b>117</b>	<b>102</b>	<b>15</b>

**CE Cases by Violation**

Violation	Total Violations	Closed Violations	Open Violations
Animal - Dog License	1	1	0
Animal - Dog License Check	1	1	0
Animal - Dog Running at Large	4	4	0
Animal - Excessive Dogs	0	0	0
Animal - Inhumane Living Conditions	0	0	0
Animal - Nuisance Barking	2	2	0
Animal - Public Nuisance Vicious Dog	2	2	0
Animal - Wild Animal	1	1	0
Blight - Broken Window/Door	9	9	0
Blight - Building Materials	0	0	0
Blight - Dangerous Structure/Site	0	0	0
Blight - Deteriorated Structure	4	3	1
Blight - Firewood	0	0	0
Blight - Graffiti	0	0	0
Blight - Junk/Inoperable Vehicle	8	8	0
Blight - Littering	1	1	0
Blight - Long Weeds/Grass	42	41	1
Blight - Outdoor Furniture	0	0	0
Blight - Parking in Yard	0	0	0
Blight - Possible Structure Collapse	0	0	0
Blight - Stock pile of Brush	1	1	0
Blight - Storage of Building Materials	0	0	0
Blight - Trash/Junk	17	10	7
Blight - Unclean Yard	0	0	0
Blight - Unfinished Excavation	0	0	0
Blight - Unfinished Structure	1	0	1
Blight - Unhabitable Dwelling	0	0	0
Blight - Unlicensed Vehicle	8	6	2
Blight - Window Treatments	0	0	0
Fireworks - Illegal Fireworks Use	2	2	0
Incident - Fire Dpt. Assist	1	1	0
Incident - General Assist	2	2	0
Incident - Traffic Accident	0	0	0
Incident - Tree Removal	0	0	0
Misc - Burning (Trash or other prohibited items)	7	7	0

Misc - House Number Display	0	0	0
Misc - Soliciting Without a License	1	1	0
Misc - Swimming Pool w/o Fence	0	0	0
Misc - Trespassing	0	0	0
Neighborhood Watch Patrol	1	1	0
Noise - Distrubing the Peace	0	0	0
Noise - Loud Music or TV	0	0	0
Noise - Sunday or Afterhours Construction	0	0	0
Noxious Odor - Visible Outside Property	2	2	0
Outdoor Storage - Emergency Access	0	0	0
Outdoor Storage - Not Covered	1	1	0
Outdoor Storage - Screening/Yard	1	0	1
Rental - Annual Renewal	0	0	0
Rental - Fail to apply for rental license	0	0	0
Rental - Failed Rental Inspection	0	0	0
Rental - Occupancy Exceeds Allowed	0	0	0
Rental - Scheduled Inspection	0	0	0
Rental - Suspected Rental	0	0	0
Sign - Political Sign(s)	0	0	0
Sign - Sign Attached to Tree	0	0	0
Streets - Item for Sale in ROW	0	0	0
Streets - No Parking Violation	1	1	0
Streets - No Right of Way Permit	0	0	0
Streets - Obstructing by Parking	0	0	0
Streets - Overnight Parking	0	0	0
Streets - Snow Across Roadway	0	0	0
Streets - Temporary Parking Ban	0	0	0
Streets - Utility Wires in Trees	0	0	0
Trailer/RV - Excessive Number	0	0	0
Trailer/RV - For Sale 30+ Days	0	0	0
Trailer/RV - Semi-Truck Trailer	1	1	0
Trailer/RV - Storage Location	0	0	0
Trailer/RV - Unlicensed	0	0	0
Trailer/RV - Vacant Lot	3	3	0
Zoning - Accessory Structure <200' Setback	0	0	0
Zoning - Accessory Structure in Street Yard	0	0	0
Zoning - Accessory Structure No Permit	0	0	0
Zoning - Dumpster	0	0	0
Zoning - Exterior Improperly Finished	2	1	1
Zoning - Fencing W/I 35' of Lake/River	0	0	0
Zoning - Fencing Without Permit	0	0	0
Zoning - Illegal Camping	2	2	0
Zoning - Keeping of Livestock or Poultry	0	0	0
Zoning - Mobile Home Skirting	0	0	0
Zoning - Multi-Family in LR-2 District	0	0	0
Zoning - Multi-Family Use in LR-1	0	0	0
Zoning - No Zoning Permit	5	3	2
Zoning - Phosphate Fertilizer	0	0	0
Zoning - Structure Completion	0	0	0
<b>Totals</b>	<b>134</b>	<b>118</b>	<b>16</b>





1010 Clubhouse Drive  
Lake Isabella, MI, 48893

989.644.8654  
office@lakeisabellami.org  
www.lakeisabellami.org

## Comparison Residential Refuse Licensing Exclusive Hauler Proposals

### I. Pricing

	Granger	King's	Republic
<b>A wheeled-cart of at least 65 gallons provided by the license holder (Monthly Cost)</b>	96 Gallon Cart: \$15. <sup>50</sup>	96 Gallon Cart: \$13. <sup>00</sup> 3 bag limit \$14. <sup>50</sup> 6 bag limit \$16. <sup>50</sup> 10 bag limit	95 Gallon Cart: \$15.55 \$17.25 (seasonal)
<b>A specific number of bags which can be left curbside without cart service (Monthly Cost)</b>	\$15. <sup>50</sup> 6 Bag Limit	\$12. <sup>00</sup> 3 bag limit \$13. <sup>50</sup> 6 bag limit	\$14.55 5 bag limit \$16.25 5 bag limit (Seasonal)
<b>Individual bag collection on a "tag &amp; bag" basis (Price per tag)</b>	\$2.00 per tag	\$1.50 per tag	\$3.00 per tag
<b>Fee structure of bulky item collection with at least once per month collection</b>	\$20 per item, Additional items at \$12 each	Curb service includes 1 bulky item per month.  Tag & Bag is 1 item per month for 3 tags.	Regular customers get 1 item per month.  Additional items cost \$20

### II. Collection Day

Granger	King's	Republic
Tuesday	Monday	Monday

### III. Billing Options

Granger	King's	Republic
Quarterly Annually	Quarterly Annually	Quarterly Annually Seasonal (May-October)

**IV. Disposal Locations**

<b>Granger</b>	<b>King's</b>	<b>Republic</b>
Granger Disposal Center, Alma	Granger Disposal Center, Alma	Central Landfill, Pierson
Granger Landfill, Lansing	Pitsch Companies, Belding	

**V. Equipment**

<b>Granger</b>	<b>King's</b>	<b>Republic</b>
2012 M2-106 Rear Load: 32 Yards/80,000# (x2)	2003 7400 International, Rear Load: 25 Yard/54,000#	Late Model Fleet: 2015-2018 Model year, Mack, Front Load (x2): 40 Yard/69,500#
2013 Flatbed tri-axle: 48,000#	2001 4900 International, Rear Load: 25 Yard/48,000#	
	2003 4300 International, Side load: 10 Yards/26,000#	

**VI. Miscellaneous**

All proposals were the same with respect to their ability to service our existing private streets, limiting annual rate change to a maximum of 3%, and none propose to use subcontractors.

**VII. Additional Services**

<b>Granger</b>	<b>King's</b>	<b>Republic</b>
"Blue bag" recycling.	1 free 25 yd. truck for a community clean-up day.	Annual Clean-up Day* Sharps Collection* Electronic/e-waste* Yard Waste*  * Offered at an additional cost, but those costs are not provided.

**VIII. Tag Purchase Locations**

<b>Granger</b>	<b>King's</b>	<b>Republic</b>
Not listed	Via mail Out-a-Bounds	Not listed

The meeting was called to order at 7:00 PM by Village President Dave Torgerson. The Pledge of Allegiance was recited by those in attendance.

**Members Present:** Cueny, Eberhart, Grey, Griffin, Kiel, Shoemaker, & Torgerson

**Members Absent:** None

The Agenda for the meeting was accepted as presented without objection.

A motion was made by Grey, seconded by Kiel, to approve the Consent Agenda as presented. ROLL CALL VOTE: YEAS: Cueny, Eberhart, Grey, Griffin, Kiel, Shoemaker, & Torgerson; NAYS: None.

MOTION CARRIED 7-0-0.

**Reports:**

Isabella County Sheriff

Sheriff Michael Main gave a presentation recapping 2017 in Isabella County. He gave a rundown of his staff, most and least busy month, how many inmates they housed for the year, and a breakdown of incidents. He also touched on the medical staff they have at the jail, repairs the jail has needed and will need, grants, and training.

Village President:

Torgerson stated his appreciation for the Planning Commission for all their hard work and dedication over the last year.

Village Manager:

Wolff submitted a written report to the Council. Wolff informed the Council that the Village has completed the work on Carmen and Par Drive. He also stated that the pavement marking work has been completed.

Wolff reported to the council the E. Coli status he had received from the health department thus far indicated no issues for Lake Isabella.

Wolff informed the council that it was time to complete the Annual Disclosure form and turn it back into the office for the Board of Ethics to review.

Wolff then turned over his report to Jeff Grey to speak about the need for a server in the office. Cueny and Kiel both spoke in favor of moving forward with getting prices to review on this item.

**LIPOA:**

Larry Russell stated that shoreline spraying was set for August 22, 2018. Russell also stated the LIPOA was looking into two small dredging projects at Lincoln and Essex's beach.

**Public Hearing(s):**

1. Proposed Ordinance 2017-02; Land Use Site Conditions & Approval Criteria:

Torgerson opened the public hearing at 7:24 PM.

Public Comments: None

Council Comments:

- Cueny stated that the Village has been looking at this ordinance for a long time. He wanted to thank the Planning Commission for all of their work and time spent over this ordinance. He stated he was glad to see this topic in the final stage.

Torgerson closed the public hearing at 7:26 PM.

A motion was made by Grey, seconded by Cueny, to accept proposed Ordinance 2017-02; Land Use Site Conditions & Approval Criteria. ROLL CALL VOTE; YEAS: Eberhart, Grey, Griffin, Kiel, Shoemaker, Cueny, & Torgerson NAYS: NONE; MOTION CARRIED (7-0-0).

**Public Comments:**

Mike Scherba of Isabella Vista; Thanked the Village for helping the LIPOA with the E. Coli levels and overseeing the samplings and data presentation.

**Existing Business:**

1. Proposed Electric Utility Franchise Agreement with Consumers Energy:

Wolff informed the Council since the July meeting; the Village has been in contact with Consumer's Energy attempting to get an agreement on wording for a Franchise Agreement.

The Village began the process by submitting to them the wording that was agreed to with Homework's Tri-County. Consumer's responded by sending an edited version.

Based on the direction that the Village Council has given Wolff, he believes that their proposal would not be agreeable to the Council. As such, a second proposal was submitted on August 9th.

## 2. Residential Refuse Licensing Proposals:

Wolff told the Village Council that on August 3rd the Village received proposals for awarding residential refuse licenses. The Village Council met on August 8th and asked that a series of follow-up questions be sent to each interested company.

The Village has invited representatives from all three interested companies to the meeting tonight. Wolff would like to recommend that the Council give all the opportunity to speak and introduce themselves.

At the August 8th meeting, the Council discussed the following schedule on moving forward with this process:

- August 8th: Have the Council finalize questions to present to each bidder, with the goal of having responses by the August 21st meeting.
- August 21st: Review the answers to questions from the August 8th meeting. Select companies to essentially interview before the Council. This will allow the Council, and the public, the ability to meet the proposed companies and hear directly from them what services are being offered.

Between the August and September meeting, hold the informational meeting(s).

- September 18th: At the September meeting, select/award a firm to enter into an exclusive agreement. Late October: Finalize Exclusive License Agreement I think it is important that we look to have something like an Open House type meeting which allows the public to ask questions and get information directly from the company in addition to the questions asked from the Council.

Wolff, in looking at the calendar, stated a date that he thinks works schedule-wise would be Saturday, September 15th. This would allow the Village time to get a newsletter published and mailed with information on the proposals that would be in people's mailboxes during the Labor Day week.

At this time the Council had the three companies introduce themselves.

Ike King and Mike King representing Kings Disposal.

John Van Tholen and Bill Peterson representing Granger Disposal.

Matt Biolette representing Republic Services.

Several questions were asked of the three companies mainly concerning the differences in the answers to the questions the companies were asked to complete. Ultimately, it was concluded that all three companies harbored the same idea just worded things differently.

One topic that stood out was the weight of trucks. Shoemaker asked for clarification as this is one of the most significant for him and the Council.

Bill Keelean of Duquesa Dr asked why his refuse company goes down the street twice.

John Van Tholen stated legally they could not swerve from side to side and for safety reasons they could not have their employees walk across the road.

John Van Tholen explained the differences in truck weight and stated that it is very subjective and the totals were unreliable which is why the council received such different answers to that question. The other two companies agreed.

Griffin asked if bag and tag customers would be considered a "regular" customer regarding the free large item pickup.

All three companies responded bag and tag customers would not be considered regular customers and would require a set number of tags for large item pick up.

Torgerson then asked if September 15, 2018, worked for all three companies for an Open House. All three companies responded that they could be present.

The Council set an Open House for September 15, 2018, at 10 AM.

3. Proposed Resolution 2018-11; Redevelopment Ready Communities Program:

Wolff stated the Village of Lake Isabella has participated in the MEDC's RRC program, including entering into a Memorandum of Understanding with the MEDC and undergoing an evaluation of the Village's development practice.

The MEDC has reviewed the development practices of the Village of Lake Isabella and has issued a Baseline Report outlining various tasks and projects that need to be completed in order for the Village to become certified.

Wolff recommends the Village Council authorize the continued involvement in the RRC Program and work with the MEDC to obtain RRC certification by addressing the areas of need outlined in the Baseline Report.

There was discussion among the Council regarding if continued involvement would force staff to spend time on these items versus other work. Costs concerns were also voiced regarding utilizing outside consultants on any of the items.

A motion was made by Griffin, seconded by Grey, to accept proposed Resolution 2018-11; Redevelopment Ready Communities Program. ROLL CALL VOTE; YEAS: Grey, Griffin, Kiel, Shoemaker, Cueny, Eberhart & Torgerson NAYS: NONE; MOTION CARRIED (7-0-0).

4. Proposed Resolution 2018-12; Public Participation Strategy:

Wolff stated that one of the various items that the Village needs to work on in their efforts to gain RRC certification is the adoption of a Public Participation Plan or Strategy.

Based on the feedback from the MEDC the Village has expanded on a few items, and Wolff feels it is ready for consideration by the Council.

The document covers engagement in Planning and Development matters.

A motion was made by Grey, seconded by Eberhart to accept proposed Resolution 2018-12; Public Participation Strategy.

ROLL CALL VOTE; YEAS: Griffin, Kiel, Shoemaker, Cueny, Eberhart, Grey, & Torgerson NAYS: NONE; MOTION CARRIED (7-0-0).

**New Business:**

1. MML Convention Voting Delegate:

Wolff stated the Village Council needs to designate an individual to be the voting delegate for the MML Convention this year. Wolff is planning to attend the Convention from September 19-22.

Without objection, the Village Council unanimously designated Wolff to be the voting delegate for the MML Convention.

2. Proposed Ordinance 2018-07; Setback Amendments:

Wolff state that this ordinance amends the setback requirements in the zoning code. The biggest change is that it reduces the rear yard from 35 feet to 20 feet on residential properties which have a rear yard abutting the OSR or Ag district.

The Planning Commission already had their public hearing on this ordinance and recommends the Village Council adopt it.

Cueny introduced proposed Ordinance 2018-07; Setback Amendments and a public hearing was set for the September 18, 2018 meeting.

3. Proposed Ordinance 2018-08; Planning Commission Ordinance:

Wolff state that this ordinance amends the Planning Commission Ordinance by removing the prohibition on “employees” from serving.

The Planning Commission already had their public hearing on this ordinance and recommends the Village Council adopt it.

Cueny introduced proposed Ordinance 2018-08; Planning Commission Ordinance and a public hearing was set for the September 18, 2018 meeting.

4. Liaison Committee Meeting Agenda:

Wolff stated that Monday, August 27th at 9 AM was scheduled as the next meeting of the Liaison Committee. He asked if there were Agenda items which need to be discussed from the Village.

Cueny reminded Wolff that he would not be able to attend that meeting.

Griffin stated he would like a reply in regards to the LIPOA cost sharing the Lake Patrol agreement.

Eberhart stated he would like to discuss the process that a Bed and Breakfast would go through to get a guest pass for the lake.

5. Updated Job Descriptions and Compensation Schedule:

Wolff spoke about the rough draft of a proposed range for a compensation schedule and drafts of several job descriptions. The Council received a copy of the MML study for the Village Manager and Deputy Village Manager positions. Wolff believed President Pro-Temp Eberhart is in the process of organizing his review.

Wolff stated he would like to propose a Personnel Committee meeting to review the MML Study and these materials. He has also included information on two different certifications that may be applicable to



office staff. Those being Animal Control Officer and Zoning Administrator.

Wolff stated a work session would help to review various training/certification programs that available for both the Village Manager and Deputy Manager Position.

Wolff concluded that the MML Study also has an example of a step schedule for compensation for both positions, and he feels it would be worthwhile to examine how to administer that and what the Council wants to see out of each position.

The council agreed to hold a Personal Committee Work Session on September 5, 2018, at 10 AM.

**Public Comments:**

Bill Keelean of Duquesa Dr asked if it would be possible to mandate Property owners to put their refuse on only one side of the street to eliminate the need for the trucks to pass by twice.

The council responded that they could not make that mandatory however if property owners wanted to do that voluntarily they could.

**Announcements:**

With no further business, the Council was adjourned at 8:43 pm.

---

Jeff Grey, Village Clerk

---

Dave Torgerson, Village President



Planning Commission Meeting  
September 11, 2018

Existing Business #1

---

## **Proposed Ordinance 2018-05 Regulation of Garages**

Attached is a draft of the ordinance that has been discussed over the past several meetings addressing garage regulations. Per the direction last month, I have completed the Temporary Accessory Structures with the regulatory framework we have for sheds.

The Planning Commission must still hold a Public Hearing on this document. Notice of the hearing must be published at least 15 days prior. Looking at the calendar, the October meeting date is the 9<sup>th</sup>. We have sufficient time to hold a hearing at that meeting and meet our publication obligation.

Village of Lake Isabella  
1010 Clubhouse Drive  
Lake Isabella, MI 48893  
(989) 644.8654  
www.lakeisabellami.org

**ORDINANCE 2018-05**  
**REGULATION OF GARAGES**

The Village of Lake Isabella hereby ordains:

**SECTION 1           PURPOSE**

The purpose of this Ordinance is to amend several section of the zoning code of the Codified Ordinances of the Village of Lake Isabella. The amendments contained herein are intended to align the regulation of detached and attached garages, provide clarity in the zoning code by adding certain definitions, and to provide greater flexibility for residents and businesses in the development of Accessory Structures.

**SECTION 2           CHAPTER 1204 AMENDED**

The following definitions are added to Chapter 1204 of the Codified Ordinances of the Village of Lake Isabella:

Canopy Tent – A portable roof-like cover, supported from the ground or deck by posts or legs, which is used for protection from the sun or weather.

Screen Tent – A portable enclosure, supported from the ground or deck by posts or legs, having sides which primarily constructed of screen material, which is used for protection from the sun or weather.

Shipping Container - A standardized re-sealable metal transportation box for unitized freight handling with standardized equipment with strength suitable to withstand shipment, storage, handling, and reuse.

Storage Pod – A standardized re-sealable container utilized for temporary storage purposes or moving, usually made from panels made of steel skins and a high-density polyethylene core and are commonly produced in three sizes: approximately 8-by-7-by-7 feet, 8-by-8-by-12 feet and 8-by-8-by-16 feet.

Storage Tent – A portable enclosure typically commercially sold as a kit, supported from the ground or deck by posts or legs, which is used to temporarily or seasonally store items for protection from the sun or weather

**SECTION 3 SECTION 1212.13 AMENDED**

Section 1212.13 of the Codified Ordinances of the Village of Lake Isabella is hereby amended to read as follows:

**1212.13 DETACHED SINGLE-FAMILY DWELLINGS**

All detached single-family dwellings located outside of a state licensed Manufactured home park shall comply with the following requirements and conditions:

1. The development of detached single-family dwellings shall comply with the following schedule of size and proportion:

<b>Zoning District(s)</b>	<b>Minimum Dwelling Area (All Floors)</b>	<b>Minimum Ground Floor Dwelling Area</b>	<b>Maximum Width to Length Ratio</b>	<b>Minimum Required Attached Garage Size Per Schedule of Footnotes below</b>
<b>LR-1</b>				
Waterfront	1,400	1,000	1:2.5	A
Back-lot	1,200	1,000	1:2.5	A
Single T-Lot	840	840	1:2.5	B
<b>Ag.</b>	1,000	1,000	1:2.5	B
<b>Airport Res.</b>	1,000	800	1:2.5	B
<b>LR-2</b>	800	800	1:4	C
<b>LR-3</b>	1,200	1,000	1:2.5	A
<b>WCBD</b>	1,000	1,000	1:2.5	B
<b>Com.</b>	1,000	1,000	1:2.5	B

Required Garage Size Footnotes:

1. 35% of the ground floor Dwelling Area, up to a maximum “minimum size” of 484 ft<sup>2</sup>.
2. 30% of the ground floor Dwelling Area, up to a maximum “minimum size” of 288 ft<sup>2</sup>.
3. 35% of the ground floor Dwelling Area, up to a maximum “minimum size” of 288 ft<sup>2</sup>; or, a detached garage of at least 484 ft<sup>2</sup>.

2. All detached single-family dwellings shall have a minimum width across any front, rear, or side elevation of no less than 20 feet. Breezeways, porches, decks, and other appurtenances shall not be considered part of the 20 feet minimum requirement.
3. All wheels, towing mechanisms, and tongues of Manufactured Homes shall be removed, and none of the undercarriage shall be visible from the exterior of the Manufactured Home. Manufactured Homes are only allowed in the LR-2 District and Agricultural District. Modular Homes may be allowed in all zoning districts where the development of detached single-family dwellings is allowed.
4. Manufactured housing shall comply with all regulations normally required for site-built dwellings in the zoning district in which it is located.
5. All single-family dwelling structures shall be placed on a permanent foundation to form a complete enclosure under the exterior walls. The foundation shall be constructed in accordance with the adopted building code of the Village of Lake Isabella. Manufactured housing shall be securely anchored to its foundation in order to prevent displacement during windstorms.
6. All dwellings shall be connected to a public sewer system and water supply system and/or a well or septic system approved by the local Health Department. At no point may any part of the foundation or exterior wall of a primary or accessory structure be closer than 10 feet to the nearest point on any septic tank or field. Structures, and additions to structures, shall not be constructed, placed, or allowed to remain when placed where such location results in a septic tank being inaccessible for cleaning or inspection purposes.
7. All dwellings shall be provided with adequate steps or porch areas, which may be permanently attached to the foundation where there exists an elevation differential of more than one foot between any door and the surrounding grade. All dwellings shall be provided with at a minimum of two points of ingress and egress. The orientation of the dwelling's front entrance-way shall be similar to the orientation of homes in the neighborhood in which it is located.
8. All additions to dwellings shall meet all of the requirements of this ordinance including the required width to length ratio.
9. The use of any basement as a dwelling is prohibited. Any dwelling without a full floor above grade level shall be considered a basement dwelling.
10. Attached garages are required for all new single-family dwellings, and all new and existing attached garages shall comply with the following requirements:

- A. Attached garages larger than what is required in any zoning district may be permitted when either of the following requirements are met:
    - 1. The footprint of the attached garage is equal to, or less than, ~~1,008~~1,100 square feet.
    - 2. For detached single-family dwellings located on parcels which are equal to or greater than 1 acre in size an attached garage in excess of ~~1,008~~1,100 square feet may be permitted if the footprint of the attached garage is equal to, or less than, ~~60~~75% of the ground floor habitable space of the detached single-family dwelling.
    - 3. Doors on attached garages shall be limited to a height of ten feet. Any door greater than eight feet in height is required to have a row of windows in such door.
  - B. All exterior lighting shall be directed downward to reduce light pollution.
  - C. Single-family dwellings in existence or permitted at the date of adoption of this zoning code which lack an attached garage are allowed to remain and be expanded without the construction of an attached garage.
  - D. Detached single-family dwellings located in either the Lake Residential-1 (LR-1) or Lake Residential-2 (LR-2) district which were permitted or built prior to 2008 may convert an attached garage of 484 square feet or less into habitable floor space without being required to replace the attached garage space with either an attached or detached garage.
11. The required minimum dimensions shall be determined as follows:
- A. Dwelling Area: shall be computed using the area on all stories enclosed by the structure's foundation and walls, as measured from the exterior edges; excluding those foundation and walls areas required by porches, breezeways, attached garages, and the like. Area for manufactured housing units shall be computed using the manufacturer's length and width designations for that unit.
  - B. Average Dwelling Length: shall be the average measured distance from the exterior edges of a structural foundation; excluding those foundation areas required by porches, breezeways, attached garages, and the like.
  - C. Average Dwelling Width: shall be defined as the dwelling area divided by the average dwelling length.
  - D. Dwelling Proportion "Width to Length Ratio": Dwelling proportion shall be a number computed as average dwelling length divided by average dwelling

width. This dwelling proportion must not exceed the value established for the zoning district in which the dwelling unit is located.

12. The development of detached single-family homes shall conform to the district regulations contained in the zoning code, and all applicable overlay districts.

13. All new detached single-family dwellings built after the effective date of this ordinance shall conform to the following minimum design requirements:

<b>Condition</b>		<b>All Districts</b>	<b>Only LR-1 District</b>
A.	A minimum dwelling width of 20 feet	*	
B.	A minimum dwelling length of 20 feet	*	
C.	At least one window on all sides	*	
D.	At least one door which opens into the street-side yard	*	
E.	At least a 4 x 12 roof pitch	*	
F.	Pick 1		*
	Must have a cover porch; or, Must have an offset in the front façade of at least 4 feet in depth and 8 feet in length. <sup>1</sup>		
G.	Pick 1		*
	Must have either 1 dormer for every 20 feet of width, and fraction thereof; or, <sup>2</sup> Must have a gable end facing the right of way for all or part of the roof. <sup>3 &amp; 4</sup>		

**Footnotes to Design Requirements:**

1. An uncovered deck does not satisfy this condition.
2. Dormers may be faux.
3. Only a portion of the roof must have a gable, which may be only over the attached garage area.
4. If the dwelling is a two-story home, a gambrel roof may be substituted for the gable end requirement.
5. “\*” Indicates a required condition.

**SECTION 4 SECTION 1212.29 AMENDED**

Section 1212.29 of the Codified Ordinances of the Village of Lake Isabella is deleted as currently exists, and is replaced to read as follows:

**1212.29 TEMPORARY ACCESSORY STRUCTURES**

1. Temporary Accessory Structures shall not be permitted, or allowed to remain, except when do so as allowed in this Section.

2. Classes of Temporary Accessory Structures:

Temporary Accessory Structures shall be divided up into the following Classes based on the nature of the use as follows:

<b>Class A</b>	<b>Class B</b>	<b>Class C</b>
Screen Tents Canopy Tents	Storage Tents	Shipping Containers Storage Pods

3. All Temporary Accessory Structures shall comply with the following conditions:

A. When a Temporary Accessory Structure is placed in the street-side yard of a waterfront parcel, including T-Lots, it shall be placed in a manner where it connects to the driveway.

B. For all Temporary Accessory Structures placed on waterfront parcels, including T-Lots, the design and landscaping requirements of section 1220.13 shall be required to be met and maintained

C. For non-waterfront parcels that have more than 1 street frontage, Temporary Accessory Structures may be placed in a street-side yard that does not have means of ingress/egress for the property, provided such faces the street frontage where ingress/egress exists for the parcel.

D. Temporary Accessory Structures may only be placed on a parcel with a primary use and structure.

E. Temporary Accessory Structures shall meet the required setbacks for sheds as regulated by Chapter 1220 of the Codified Ordinances of the Village of Lake Isabella.

F. In the East Coldwater Business District, Agricultural District, and Research & Light Manufacturing District A maximum of 1 Storage Pod or Shipping Container may be stored on site for every full acre of parcel size, up to a maximum of five such items on any single parcel. Such Storage Pods or Shipping Containers shall be screened by at least one of the following on at least three sides, including all sides facing a public right-of-way; structure(s), privacy fencing, or landscaping. All such screening shall be approved by the Zoning Administrator.



4. Classes of Temporary Accessory Structures shall comply with the following applicable regulation of their allowed period of use, unless otherwise allowed in the Codified Ordinances of the Village of Lake Isabella:

<b>Regulation</b>	<b>Class A</b>	<b>Class B</b>	<b>Class C</b>
Seasonally allowed between November 1 <sup>st</sup> and the following April 30 <sup>th</sup> :	No	Yes	No
Seasonally allowed between April 1 <sup>st</sup> and October 31 <sup>st</sup> :	Yes	No	No
Limited to a single 30-day period	No	No	Yes

**SECTION 5            CHAPTER 1220 AMENDED**

Chapter 1220 of the Codified Ordinances of the Village of Lake Isabella is hereby amended to read as attached as Exhibit A.

**SECTION 6            CHAPTER 1256 AMENDED**

Chapter 1256 of the Codified Ordinances of the Village of Lake Isabella is hereby amended to read as attached as Exhibit B.

**SECTION 7            SEVERABILITY**

If any section, subsection, paragraph, sentence, clause, or portion of this Ordinance is found for any reason to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 8            ORDINANCES REPEALED**

All ordinances and/or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed to the extent of any such conflict or inconsistency.

**SECTION 9            EFFECTIVE DATE**

This Ordinance shall take effect and be in force upon the expiration of 7 days after the date when the notice of adoption for this Ordinance is published in a newspaper of general circulation in the Village of Lake Isabella. This Ordinance and attached document shall be codified, edited for typos and grammatical errors, and enumerated in accordance with the codification procedure of the Village of Lake Isabella.

**SECTION 10            ENACTMENT**

We, the undersigned President and Clerk of the Village of Lake Isabella, Isabella County, State of Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance #2018-05 “**REGULATION OF GARAGES**” of the Village of Lake Isabella, was adopted in the following manner detailed in the table below, and the enactment by the Village Council at a regular or special meeting of the Lake Isabella Council, offered by councilmember \_\_\_\_\_, and seconded by councilmember \_\_\_\_\_. Originally introduced by councilmember \_\_\_\_\_.

Planning Commission Introduction	September 11, 2018
Planning Commission Public Hearing Publication Date	
Planning Commission Public Hearing	
Planning Commission Recommendation	
Village Council Introduction	
Village Council Public Hearing Publication Date	
Village Council Public Hearing	
Village Council Adoption	

The vote to adopt this Ordinance was taken by roll-call with the “yeas” and “nays” recorded as such.

YEAS: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

ABSENT: \_\_\_\_\_

Dated at Lake Isabella, Michigan, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
 Village Council President  
 David K. Torgerson

\_\_\_\_\_  
 Village Clerk  
 Jeffrey P. Grey

EXHIBIT A

Village of Lake Isabella - Codified Ordinances

Article XII – Planning & Zoning

**Chapter 1220 – Accessory Structures to Single Family Dwellings**

Adopted August 4, 1998 – Ordinance 1998-01

Last amended; \_\_\_\_\_ by \_\_\_\_\_

---

Chapter 1220.01	Purpose
Chapter 1220.03	General Requirements
Chapter 1220.05	Accessory Structure Placement
Chapter 1220.07	Accessory Structure Setback Requirements
Chapter 1220.09	Accessory Structure Size & Height Regulations
Chapter 1220.11	Proliferation of Accessory Structures
Chapter 1220.13	Design & Fenestration Requirements

---

**1220.01 PURPOSE**

The purpose of this Chapter is to regulate the development, use, location, height, and appearance of accessory structures in single family residential zoning districts, and to detached single-family uses in other districts. For the purpose of maintaining property values, ensuring the safe use of land and structures no accessory structure shall be permitted, or allowed to remain, unless the requirements and conditions contained herein are fully complied with.

**1220.03 GENERAL REQUIREMENTS**

1. All accessory structures shall be erected, placed, or altered only after obtaining a permit from the Zoning Administrator.
2. Accessory structures may only be placed when done so if they are accessory and subordinate to a legally existing primary structure and use.
3. An accessory structure shall not be constructed, altered, continued, maintained or otherwise located on a parcel of property until after the associated primary structure has been completed.
4. An accessory structure shall not remain, and must be removed, if the primary structure is removed, destroyed, or otherwise eliminated to which the accessory structure was subordinate.
- ~~5. Accessory structures are to be set apart from the primary structure by at least 10 feet (10'), unless such structure is a shed. Accessory structures larger than two-hundred forty square feet (240 ft<sup>2</sup>) in ground coverage may be either completely detached from the primary structure, or partially attached by an open air~~

## EXHIBIT A

~~breezeway, deck, patio, walkway, sidewalk or other similar non enclosed space. Such type of partial attachment shall not change the status of the building as an accessory structure.~~

~~6. If otherwise attached to the primary structure, an accessory structure shall be considered an addition to the primary structure, provided that it is made structurally and integrally a part of the primary structure including sharing an interior wall with means of entry into habitable space, walls with a watertight connection to a foundation or slab, and a roof (so as to enclose all areas) thereby making it one structure, unless otherwise permitted in this Chapter. Any such addition shall comply in all respects with the requirements applicable to primary structures in the respective zoning district. Decks, patios, walk ways, breezeways, sidewalks and other similar items shall not be deemed to satisfy the requirements for making it “structurally and integrally” complete.~~

5. Accessory Structures are to be detached and set apart from the primary structure which it is subordinate to by at least ten feet (10') unless such Accessory Structure is a shed. A detached Accessory Structure may be connected to, but not considered a part of the primary structure, if it is connected via means such as a breezeway or deck. To be considered a single structure, the garage must be connected to and attached to habitable floor space of the dwelling.

67. Free standing carports and portable garages shall not be permitted except as regulated as Temporary Accessory Structures in the zoning code. However, stick-built carports sharing a common wall or roof line, architectural design, color, and exterior materials with, or as part of, a structure may be permitted provided that they are built as to be structurally part of the structure and the following are complied with:

- A. The area proposed to be used as a carport conforms to the required setbacks, lot coverage, and other applicable zoning regulations; and,
- B. The carport shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles; and,
- C. Vehicles stored under the carport shall be fully operational and shall display a valid license plate. Recreational vehicles, trailers, and watercraft may be stored underneath the carport if such have a valid Michigan registration and are fully operable; and,
- D. The carport shall not be permanently or seasonally enclosed; and,
- E. The total footprint of the structure, including the carport area conforms to the allowed sizes established in the zoning code.

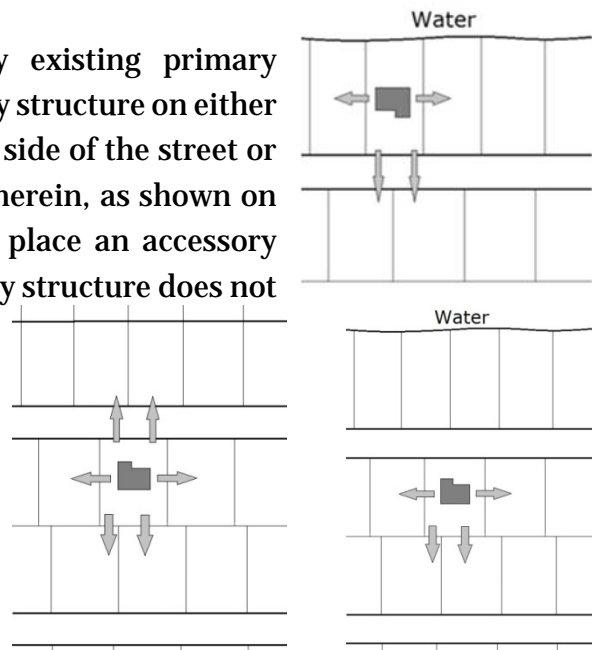
## EXHIBIT A

- 78.** Accessory structures that are primarily used for storage, such as detached garages, which are greater than 240 square feet in ground coverage, are required to have a hard surfaced floor of either concrete, or asphalt.
- 89.** If the accessory structure is a guest house, such shall be at least 400 square feet, be connected to and serviced by a potable water supply and wastewater disposal system connected to and approved by the local Health Department.

### 1220.05 ACCESSORY STRUCTURE PLACEMENT

1. A waterfront parcel with a legally existing primary structure and use may develop an accessory structure on either the same lot, an adjoining lot on the same side of the street or a lot across the street, as shown on the adjacent illustration. If an accessory structure is placed on an adjacent lot or a lot across the street, that lot and the lot where the primary structure is located must be permanently combined via a recorded deed restriction and combined as a single parcel for tax purposes.

2. A non-waterfront parcel with a legally existing primary structure and use may develop an accessory structure on either the same lot, an adjoining lot on the same side of the street or a lot across the street except as provided herein, as shown on the adjacent illustrations. The ability to place an accessory structure across the street from the primary structure does not apply if the otherwise vacant lot is a waterfront lot. If an accessory structure is placed on an adjacent lot or a lot across the street, that lot and the lot where the primary structure is located must be permanently combined via a recorded deed restriction and combined as a single parcel for tax purposes.



3. When an Accessory Structure is placed across a street from the Primary Structure that it is accessory and subordinate to, it must be placed on a lot which has overlapping parallel right-of-way frontage with the lot where the Primary Structure is located. Lots which may be located across from one another where the right-of-way does not maintain a parallel relationship are not considered to have overlapping frontage.

**EXHIBIT A**

4. The development and placement of Accessory Structures located across a street from the Primary Structure that such would be accessory and subordinate allowed under sub-sections 1, 2, 3 of this section shall be limited only to detached garages. Such detached garages must have a footprint of no less than 896 square feet and may only be approved as a Special Land Use. As part of the review of the Special Land Use application, special attention shall be given to the design requirements of section 1220.13 of the zoning code.

**1220.07 ACCESSORY STRUCTURE SETBACK REQUIREMENTS**

1. Accessory structures shall be setback from property lines, right-of-ways (streets), and bodies of water as shown below:

- A. Accessory Structures other than sheds with a footprint of 240 square feet or less.

<b>Parcel Type</b>	<b>Front/Street Yard Setback</b>	<b>Secondary Street Frontage</b>	<b>Ordinary High Water Mark</b>	<b>Side Yard</b>	<b>Rear Yard</b>
<b>Non-Waterfront</b>	Not Permitted	<u>25'</u>	NA	8'	2'
<b>Waterfront</b>	Not Permitted	<u>25'</u>	35'	8'	8'*
<b>T-Lot</b>	35'	<u>NA</u>	35'	2'	2'*

\* This setback only applies if the yard abutting the water would not normally be considered the rear yard.

- B. Accessory Structures, including detached garages, storage buildings, and other structures with a footprint greater than 240 square feet.

<b>Parcel Type</b>	<b>Front/Street Yard Setback</b>	<b>Secondary Street Frontage</b>	<b>Ordinary High Water Mark</b>	<b>Side Yard</b>	<b>Rear Yard</b>
<b>Non-Waterfront</b>	Not Permitted	<u>25'</u>	NA	8'	35'
<b>Waterfront</b>	35'	<u>25'</u>	35'	8'	35'*
<b>T-Lot</b>	25'	<u>NA</u>	35'	8'	35'*

\* This setback only applies if the yard abutting the water would not normally be considered the rear yard.

\*\* If an accessory structure is placed across the street from a primary

**EXHIBIT A**

structure on an otherwise vacant lot, the setbacks for the accessory structure shall be the same as a primary structure in that zoning district.

C. Sheds.

<b>Parcel Type</b>	<b><u>Front/Street</u> Yard Setback</b>	<b>Max Distance at Closest Point from Primary Structure in a waterfront yard</b>	<b><u>Secondary Street Frontage</u></b>	<b>Ordinary High Water Mark</b>	<b>Side Yard</b>	<b>Rear Yard</b>
<b>Non-Waterfront</b>	Not Permitted	NA	<u>20'</u>	NA	8'	2'
<b>Waterfront</b>	35'	20'	<u>20'</u>	50'	8'	8'*
<b>T-Lot</b>	35'	20'	<u>NA</u>	35'	2'	2'*

\* This setback only applies if the yard abutting the water would not normally be considered the rear yard.

- a. When a shed is placed in the street-side yard of a waterfront parcel, including T-Lots, it shall be placed in a manner where it connects to the driveway.
  - b. For all sheds placed on waterfront parcels, including T-Lots, the design and landscaping requirements of section 1220.13 shall be required to be met and maintained.
  - c. For non-waterfront parcels that have more than 1 street frontage, sheds may be placed in a street-side yard that does not have means of ingress/egress for the property, provided such faces the street frontage where ingress/egress exists for the parcel.
2. ~~Eaves may project no more than 2 feet from the wall of a structure, and must be at least 2 feet from any property line.~~

**1220.09 ACCESSORY STRUCTURE SIZE & HEIGHT REGULATIONS**

1. No accessory structure with a footprint greater than 240 square feet shall have a ratio of width to length, using the average width of the structure and average length of the structure as measured at the exterior edges of the foundation, which exceeds

## EXHIBIT A

a ratio of 1: 2.

2. An accessory structure shall either be equal to or less than 240 square feet in size, or be at least 400 square feet.
3. An accessory structure shall not have a footprint larger than the footprint of the primary structure.
4. Accessory structures shall be limited to a single story above the finished grade facing any public right-of-way unless such is approved as a Special Land Use.
5. Detached garages shall be no less than 400 square feet, and may be permitted up to ground coverage of ~~1,088~~1,100 square feet by the Zoning Administrator. Detached Garages greater than ~~1088~~1,100 square feet may be approved as a Special Land Use. Any Detached greater than ~~1,280~~1,301 square feet may only be located on a parcel of at least 2 acres in size. No detached garage may exceed a square footage of ~~1,600~~1,800 square feet.
6. Sheds shall be restricted in terms of size, and dimensions as follows ~~allowed by the chart below~~:
  - A. Sheds which are built of a non-permanent construction, such having skids placed on a slab or over gravel, a maximum footprint of 240 square feet (240 ft<sup>2</sup>) is permitted.
  - B. Sheds which are built of a more permanent style of construction, including pole construction, shall be limited to a maximum footprint of 200 square feet.
  - C. Sheds shall have side walls no taller than eight feet (8'), and shall not be taller in height than the ground floor of the dwelling that they are subordinate to.

### **[DELETE TABLE]**

7. Guest houses shall be at least 400 square feet, and no larger than the dwelling area footprint of the dwelling it is accessory and subordinate to.
8. All other Accessory Structure such as private greenhouses, workshops, pool houses, playhouses, treehouses, shall be no larger than 240 square feet in ground coverage.

### **1220.11 PROLIFERATION OF ACCESSORY STRUCTURES**

1. The proliferation of accessory structures primarily used for storage such as sheds and detached garages shall be regulated as shown on the follow tables:

Key:            H = Home            AG = Attached Garage



**EXHIBIT A**

S = Shed

DG = Detached Garage

**Parcels consisting of less than 2 full platted lots, and all other parcels consisting of less than two full platted lots that are less than one-half of an acre in size**

Starting Status	Next Required	Future Options	
<b>Vacant</b>	H + AG*	H + AG + S	
<b>H + AG</b>	NA	H + AG + S	
<b>H + AG + S</b>	NA	None	
<b>H + AG + DG</b>	NA	None	
<b>H + AG + DG + S</b>	NA	None	
<b>H + DG</b>	NA	H + DG + S	
<b>H + DG + DG</b>	NA	None	
<b>H + DG + S</b>	NA	None	
<b>H + S</b>	NA	H + AG + S	H + DG + S
<b>H</b>	NA	H + AG	H + AG + S
		H + DG	H + DG + S
		H + S	

\* Unless otherwise exempted by the zoning code.

**Parcels consisting of at least 2 full platted lots, and all parcels that are equal to or greater than one-half of an acre**

Starting Status	Next Required	Future Options		
<b>Vacant</b>	H + AG*	H + AG + S	H + AG + DG	H + AG + DG + S
<b>H + AG</b>	NA	H + AG + S	H + AG + DG	H + AG + DG + S
<b>H + AG + S</b>	NA	H + AG + DG + S		
<b>H + AG + DG</b>	NA	H + AG + DG + S		
<b>H + AG + DG + S</b>	NA	None		
<b>H + DG</b>	NA	H + DG + S	H + AG** + DG + S	

**EXHIBIT A**

<b>H + DG + DG</b>	NA	H + AG + DG + DG	H + AG + DG + DG + S	H + DG + DG + S
<b>H + DG + S</b>	NA	H + AG** + DG + S		
<b>H + S</b>	NA	H + AG + S	H + DG + S	H + AG + DG + S
<b>H</b>	NA	H + AG	H + AG + S	H + AG + DG + S
		H + DG	H + DG + S	H + S

\* Unless otherwise exempted by the zoning code.

\*\* For homes built prior to 2008 which are located on a parcel having only a single detached garage of ~~576~~ 600 ft<sup>2</sup>, or less, a second detached garage may be built rather than an attached garage, provided that one of the detached garages is semi-connected to the Primary Structure by structural means such as a porch, breezeway, or deck. A hard surfaced patio is not considered means to satisfy this requirement.

2. For properties located in the LR-2 Zoning District, a second shed may be substituted for an attached or detached garage.
3. The development and number of accessory structures not used for storage such as, but not limited to; guest houses, greenhouses, playhouses, treehouses, gazebos, pool houses, pavilions, pergolas located on a patio, and other similar structures shall be limited to the following (*Fences and swimming pool are not considered an accessory structure for the purpose of the subsection*):

<b>Size of Parcel</b>	<b>Number allowed</b>
Less than ½ Acre	1
0.5 to 1.0 Acre	2
1.01 Acre to 2.0 Acres	3
More than 2.0 Acres	4

5. A pergola is not considered an accessory structure if such is placed on deck.

**1220.13 DESIGN & FENESTRATION REQUIREMENTS**

1. All accessory structures which are greater than 400 square feet in ground coverage and other specific Accessory Structures required by this zoning code to comply with these design requirements shall be constructed so that the appearance of its

## EXHIBIT A

exterior is uniform and resembles the color and material of the principal structure. As follows:

- A. Appearance is measured when viewed from adjacent property, or from water bodies, streams, rivers, roads, parks, or other facilities open to the public.
- B. Identical material is not required, but the following characteristics shall be the same or similar:
  1. A finished design and color scheme that is coordinated and compatible with the color and design of the principal structure. Examples of items which may be considered to determine compatibility are the Orientation of boards, grooves, grains, style of siding, shingles and other exterior characteristics.
  2. Color, style, & material of roofing.
  3. Other than sheds, no accessory structure shall have a roof pitch which is less than 4:12.
- C. Notwithstanding this Chapter, an accessory structure is not required to match granite, brick, stone, concrete masonry or other similar stone-like material used on the principal structure. However, the material used must resemble the color and material of the principal structure, and should at minimum, match non-stonelike materials of the principal structure.
- D. Generally, windows will be oriented vertically and utilize distinct frames, materials, or colors for window surrounds.
- E. Building walls will show no more than three different finish materials, excluding foundations, columns, or cornices.
- F. Heavier materials such as brick or stone shall be located toward the base of the structure
- G. Side and rear facades will be of finished quality and of the same color and materials that blend with the front of the building. If a side wall façade faces a street it shall be finished with the same treatments as that as the front of the structure.
- H. Detached garages that feature a width greater than ~~30~~thirty-two feet must provide an offset in the façade where the primary vehicle ingress/egress occurs of at least 4 feet over 20% of the façade.
- I. Doors on detached garages shall be limited to a height of ten feet. Except that one door may be greater than ten feet, but shall not exceed fourteen feet. Any

**EXHIBIT A**

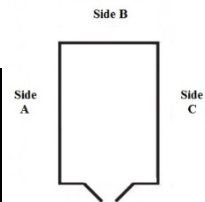
door greater than eight feet in height is required to have a row of windows in such door.

**IJ.** A minimum of two (2) different ~~architectural features~~ character elements on the front façade; ~~architectural features~~ character elements are items such as ~~may include items such as~~ windows ~~treatments~~, doors ~~treatments~~, louvers, or material/color variations, dormers, garage doors with windows, light fixtures, cornices (including the combination of cornice, frieze, and architrave), and canopy covering of entrances.

**J.** A minimum of one (1) ~~architectural~~ character element as described above and/or landscape feature must be included along any sidewall for every ten (10) feet and fraction thereof for any sidewall directly adjacent to and visible from a public right-of-way or adjacent residentially zoned property; landscape features shall include medium or upright coniferous and deciduous shrubs or shade, ornamental, or evergreen trees in excess of two (2) feet in height at the time of planting.

2. On all Accessory Structures unpainted, uncolored or unfinished material is prohibited, except if the material is designed and marketed for residential finish work, and is weather-resistant in its unpainted, uncolored or unfinished state.
3. Sheds are required to have an exterior of wood, resin, or vinyl. Metal roofs are allowed on sheds.
4. Sheds placed on waterfront parcels, including T-Lots, shall be landscaped along any side without a door (unless said side is placed directly abutting to a dwelling or garage) with coniferous or deciduous shrubs or similar plants based on the sum total length of the sides without a door as shown below:

Sides A, B, & C At Least	Sides A, B, & C Not More Than	Total Plants Required
<b>10'</b>	<b>19'</b>	<b>6</b>
<b>20'</b>	<b>29'</b>	<b>8</b>
<b>30'</b>	<b>39'</b>	<b>9</b>
<b>40'</b>	<b>50'</b>	<b>11</b>



## EXHIBIT B

### Village of Lake Isabella - Codified Ordinances

#### Article XII – Planning & Zoning

#### Chapter 1256 – Accessory Structures in Non-Residential Districts

Adopted January 22, 2013 – Ordinance 2012-09

---

Chapter 1256.01	General Requirements
Chapter 1256.03	District Regulations
Chapter 1256.05	Landscaping Requirements
Chapter 1256.07	Design Requirements

---

#### 1256.01 GENERAL REQUIREMENTS

1. An accessory structure shall not be constructed, altered, continued, maintained or otherwise located on a parcel of property until after the associated primary structure has been completed. An accessory structure shall not remain, and must be removed, if the primary structure is removed, destroyed, or otherwise eliminated to which it was subordinate.
2. Unless otherwise provided for, accessory structures shall be subject to the same use regulations as the primary structure that it is subordinate to.
3. An accessory use shall always exist in conjunction with, and never without, a legally established primary use. Said primary use and structure shall be located on the same parcel, and be of the same owner, as the accessory use or structure. On parcels with multiple uses conducted in different structures, the Zoning Administrator shall make a determination as to which structure and use is the primary use and structure based on the frequency and intensity of the uses occurring at the parcel.
4. No mobile home or trailer, truck trailer, railroad car, or storage pod shall be utilized as an accessory structure.
5. All accessory structures of any size shall be constructed and maintained of durable, finished materials ~~and shall be compatible in color to the primary structure.~~
6. Free standing carports and portable garages shall not be permitted.
7. All accessory structures permitted under this Chapter with a footprint of ~~200~~ 400 square feet or more shall be firmly attached to a foundation, with the exception of pole construction structures.
8. All pole construction structures located outside of Agricultural or Open Space districts shall have a concrete floor.
9. Accessory structures shall comply with all setback and built-to lines.

**1256.03 DISTRICT REGULATIONS**

1. The size, height, and number of Accessory Structures shall be limited as follows:

<u>District</u>	<u>Maximum Number Allowed Over 400 ft<sup>2</sup></u>	<u>Height Limitation</u>	<u>Size Limitations</u>
<u>C-1</u>	<u>1 + 1 for each full acer of area over 1 acre</u>	<u>Single story structure</u>	<u>Equal to, or less than, the ground floor footprint of the Primary Structure</u>
<u>ECB</u>	<u>2 + 1 for each full acer of area over 1 acre</u>	<u>Equal to, or less than, the height of the primary structure</u>	<u>Equal to, or less than, 150% of the ground floor footprint of the Primary Structure</u>
<u>WCB</u>	<u>1 + 1 for each full acer of area over 1 acre</u>	<u>Single story structure</u>	<u>Equal to, or less than, the ground floor footprint of the Primary Structure</u>
<u>AC</u>	<u>1</u>	<u>Single story structure</u>	<u>Equal to, or less than, the ground floor footprint of the Primary Structure</u>
<u>RLM</u>	<u>2 + 1 for each full acer of area over 1 acre</u>	<u>Same as total District limit</u>	<u>2,500 ft<sup>2</sup></u>
<u>Ag</u>	<u>No Limit</u>	<u>Same as total District limit</u>	<u>2,500 ft<sup>2</sup></u>
<u>OSR</u>	<u>No Limit</u>	<u>Single story structure</u>	<u>None</u>

2. The Zoning Administrator shall have the authority to approve applications for single story Accessory Structures which have a ground floor footprint of 1,000 square feet or less. All other Accessory Structures shall require Site Plan approval.

**1. AGRICULTURAL DISTRICT**

**Number Allowed: No Limit**

**Pole Construction Permitted: Yes**

**Allowed Size: \_\_\_\_\_**

<b>Parcel Size (acres)</b>	<b>Maximum Footprint (square feet)</b>	<b>Maximum Sidewall (feet above grade)</b>

Less than 5 acres	80% of Primary Structure up to a maximum of 1,600.	12
5.00—9.99	2,200	14
10.00—19.99	2,800	14
20.00 or greater	2,800 + 100 feet for every full acre in excess of the first 20.	16

**Authority to Approve:** The Zoning Administrator may approve a permit application for an agricultural accessory structure that is equal to, or less than, 2,200 square feet which had side walls of 14 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.

2. COMMERCIAL DISTRICT

**Number Allowed:** A minimum of 2 on parcels that are less than 1.5 acres in size, provided one of the accessory structures has a footprint of 400 square feet or less. For parcels that are equal to or greater than 1.5 acres in size, 1 additional accessory structure over 400 square feet may be permitted by the Planning Commission for each full acre over the original 1.5 acres.

**Pole Construction Permitted:** No, unless approved by the Planning Commission during the Site Plan approval process.

**Allowed Size:** 80% of the footprint of the primary structure.

**Maximum Height:** Equal to the height of the primary structure, to a maximum of 20 feet above grade.

**Authority to Approve:** Unless otherwise stated, the Zoning Administrator may approve all permit applications for accessory structures in this district.

3. AIRPORT COMMERCIAL DISTRICT

**Number Allowed:** 2, provided one of them has a footprint of 400 feet or less.

**Pole Construction Permitted:** Yes

**Allowed Size:** 80% of the footprint of the primary structure.

**Maximum Height:** Equal to the height of the primary structure, to a maximum of 20 feet above grade.

**Authority to Approve:** The Zoning Administrator may approve all permit applications for accessory structures in this district.

4. EAST COLDWATER BUSINESS DISTRICT

**Number Allowed:** A maximum of 3 on parcels that are less than 5 acres in size, provided that one of the accessory structures has a footprint of 400 square feet or less. For parcels that are equal to or greater than 5 acres in size, 1 additional accessory structure may be permitted by the Planning Commission via an approved Site Plan for each full additional 2 acres of the parcel in excess of the first 5 acres. This is illustrated below as an example:

<b>Parcel Size</b>	<b>Number Allowed in excess of 400 square feet.</b>	<b>Total Number Allowed</b>
> 5 Acres	2	3
5.00 to 6.99	2	3
7.00 to 9.99	3	4
10.00 to 11.99	4	5
<i>The allowed numbers increase as shown for each additional full 2 acres</i>		

**Pole Construction Permitted:** No

**Allowed Size:** \_\_\_\_\_

<b>Parcel Size (acres)</b>	<b>Maximum Footprint (square feet)</b>	<b>Maximum Height (feet above grade)</b>
Less than 5 acres	75% of Primary Structure Footprint up to a maximum of 1,000.	Equal to the height of the Primary Structure up to a maximum of 16 feet above grade.
5 acres or greater	75% of Primary Structure Footprint up to a maximum of 2,000.	Equal to the height of the Primary Structure up to a maximum of 22 feet above grade.

**Authority to Approve:** Unless otherwise stated, the Zoning Administrator may approve a permit application for an accessory structure in this district that is equal to, or less than, 600 square feet with a total height of 14 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.

**5. WEST COLDWATER BUSINESS DISTRICT**

**Number Allowed:** 2, provided one of them has a footprint of 400 feet or less.

**Pole Construction Permitted:** No

**Allowed Size:** 80% of the footprint of the primary structure.

**Maximum Height:** Equal to the height of the primary structure, to a maximum of 20 feet above grade.



~~**Authority to Approve:** The Zoning Administrator may approve all permit applications for accessory structures in this district.~~

~~6. **INDUSTRIAL DISTRICT**~~

~~**Number Allowed:** No Limit~~

~~**Pole Construction Permitted:** Yes~~

~~**Allowed Size:** \_\_\_\_\_~~

<b>Parcel Size (acres)</b>	<b>Maximum Footprint (square feet)</b>	<b>Maximum Height (feet above grade)</b>
Less than 5 acres	80% of Primary Structure up to a maximum of 1,600.	75% of Primary Structure Height to a max of 20 feet.
5.00—9.99	2,200	75% of Primary Structure Height to a max of 25 feet.
10.00 or greater	2,800	75% of Primary Structure Height to a max of 30 feet.

~~**Authority to Approve:** The Zoning Administrator may approve a permit application for an accessory structure that is equal to, or less than, 2,200 square feet with a total height of 20 feet or less. For all other approvals, the applicant is required to obtain Site Plan approval from the Planning Commission.~~

~~7. **OPEN SPACE RECREATIONAL DISTRICT**~~

~~**Number Allowed:** No Limit~~

~~**Pole Construction Permitted:** Yes~~

~~**Allowed Size:** Equal to the footprint of the primary structure on the parcel.~~

~~**Maximum Height:** Equal to the height of the primary structure.~~

~~**Authority to Approve:** The Zoning Administrator may approve all permit applications for accessory structures in this district.~~

**1256.05 LANDSCAPING REQUIREMENTS**

Additional landscaping and/or privacy fencing may be added by the Zoning Administrator or Planning Commission during the approval process if such is needed to properly screen structures from adjacent parcels. As a minimum, the following standards shall be applicable to all accessory structures in non-residential districts erected or modified after the effective date of this section:

1. General Landscaping Standards

- A. All areas not covered by structures, parking areas, drives, sidewalks, plazas, decks, or other impervious surfaces shall be planted with living vegetation.
- B. All landscape planting areas shall be stabilized and maintained with seed, sod, mulches, or other approved materials to prevent soil erosion.
- C. All required planting is to occur within 9 months of the date of development approval. In the event that the project is completed during a time of year when planting is impractical, a performance bond or surety shall be provided to the Village if so required by the Planning Commission.
- D. Tree wraps, wires, and stakes shall be removed after the first growing season. Nothing contained herein shall prevent the seasonal wrapping of trees and shrubs after the first growing season.

2. Maintenance

- A. The property owner shall be responsible for the maintenance of all landscaped areas, including those within any public right-of-way.
- B. Lawns and landscaped areas shall be maintained in a substantially weed free manner.
- C. Plants shall be controlled by pruning, trimming, or other suitable methods so that they do not interfere with public utilities, restrict pedestrian or vehicular access, or cause a traffic hazard.

3. Plant Requirements

- A. All plant material shall be hardy to the Lake Isabella area. As defined in the LR-3 Section of the zoning code.
- B. All plant material shall be free from disease and insects.
- C. Landscaping shall not include more than 33% of any single plant species. At least 75% of new plantings shall be native to Michigan.

4. Plant size requirements

- A. Canopy/Shade trees shall have a trunk caliper of at least 2 ½ inches at 48 inches above finished grade at the time of planting
- B. Ornamental trees shall have a trunk caliper of at least 2 inches at 48 inches above finished grade at the time of planting.
- C. Evergreen trees shall be at least 60 inches in height above finish grade at the time of planting.

- D. Shrubs shall be at least 30 inches in height above finished grade at the time of planting
5. **Appeal Process:** For landscaping requirements imposed by the Zoning Administrator for accessory structures not requiring site plan review, the owner of the proposed accessory structure may appeal such conditions to the Planning Commission for their consideration. All landscaping decisions of the Planning Commission, either in the Site Plan review process, or appeal of the determination of the Zoning Administrator; are appealable to the Zoning Board of Appeals.

#### **1256.07 DESIGN REQUIREMENTS**

1. All accessory structures greater than 200 square feet shall be constructed so that the appearance of its exterior is uniform and resembles the color and materials of the primary structure to which it is subordinate to as follows:
  - A. Appearance is measured when viewed from adjacent property, or from water bodies, streams, rivers, roads, parks, or other facilities open and accessible to the public.
  - B. Identical material is not required, but the following characteristics shall be the same or similar.
    1. Orientation of boards, grooves, grains, shingles and other exterior characteristics.
    2. A finished design and color scheme that is coordinated and compatible with the color and design of the primary structure to which it is subordinate to.
    3. Color of roofing.
    4. Style of siding (Including, but not limited to, the apparent length and width of boards, shakes or panels and the texture, reflectivity, or gloss of the materials.).
    5. Style of roofing (Including, but not limited to, the apparent length and width of shingles, shakes, boards, or panels and the texture, reflectivity, or gloss of the materials as well as the type of roof i.e. hip, mansard, gambrel, gable...).
    6. Roof pitch shall be equal to that of the primary structure to which it is subordinate to unless otherwise approved by the Planning Commission.
  - C. Notwithstanding this Chapter, an accessory structure is not required to match granite, brick, stone, concrete masonry or other stone-like materials used on the primary structure. However, the material

## Chapter 1256 – Accessory Structures in Non-Residential Districts

used must resemble the color and style used with the primary structure to which it is subordinate to.

2. All accessory structures greater than 200 square feet in ground coverage shall include a minimum of two (2) different architectural features on the front façade; architectural features may include items such as windows, doors, gable entry, or faux louver window, and other similar design features.
3. All accessory structures greater than 200 square feet in ground coverage shall include as a minimum the combination of at least two (2) architectural and/or landscape features along any sidewall with a height equal to or greater than 10 feet, and along any sidewall directly adjacent to or visible from a public right-of-way. Landscaping features shall include shrubs or trees of at least four (4) feet in height at the time of planting.
4. Unpainted, uncolored or unfinished material is prohibited for use on the exterior of all accessory structures, unless such material is specifically designed and marketed for exterior use and is weather-resistant in its natural or unfinished state.



---

## Short-term Rental Regulation

Following the approval of the conditional rezoning of 565 N. Coldwater Road to allow a B&B type use, the Village Council has asked for the Planning Commission to review how short-term rentals could be regulated in the community, and if there are any changes to the zoning code that should be considered.

The Village has surveyed the community twice in the last 5 years on this matter, below are the feedback we have gotten each time.

**The Village has prohibited short-term rentals of homes in residentially zoned areas for several years, do you support the continued prohibition of short-term rentals in residential districts of the community?**

Answer	2018 Survey	2013 Survey
Yes	56.05%	62.9%
No	33.87%	37.1%