



Village of  
Lake Isabella

Planning Commission  
March 12, 2019  
Regular Meeting  
1010 Clubhouse Drive  
Lake Isabella, MI 48893

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

**Members Present:** Courser, Grey, Laraway, Preuss, Simon, Tafreshi & McGrath

**Members Excused:** None

**Agenda Approval:**

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

**January Meeting Minutes:**

Laraway made a motion, which was seconded by Tafreshi, to approve the minutes of the January 2019 meeting as presented. VOICE VOTE: MOTION CARRIED 7-0-0.

**Reports:**

- Chairman's Report: None
- Village Manager: Wolff gave an update on several items including recent training, permits, and ordinance enforcement. He discussed the upcoming Council meeting to adopt a resolution for an MDOT Category B grant application.

Simon asked how the County Planning Commission meeting went regarding the windfarm. Wolff replied that the County gave conditional approval for the Special Land Use permit, but will still need to undergo Site Plan review for the individual sites.

He also shared the news with the Planning Commission that former Lake Isabella Code Enforcement Officer Ed Nurski passed-away this week from cancer at the age of 75.

- Village Council: None

**Public Hearing:**

1. Site Plan 565 N. Coldwater Road;

McGrath opened the Public Hearing at 7:06 PM.

Wolff gave a synopsis of the proposed project and highlighted items from his staff report. He also reported to the Planning Commission that before the meeting comments were submitted from Paul Cueny (see attached). These comments were forwarded to the members of the

Planning Commission on Monday, March 11th, and also to the Applicant prior to the meeting. He summarized the comments for the public and stated that a copy would be attached to the minutes.

Grey asked if the Planning Commission needed to approve the workshop, or if Wolff could do so acting as the Zoning Administrator. Wolff replied that in his opinion since the property was rezoned to East Coldwater Business, the building would need Site Plan approval. He stated that the ordinance discussed the need for a Site Plan for Accessory Structures over a certain size in the ECB, which in his view limits his authority as the Zoning Administrator to approve even with he previous approvals and variance.

Tafreshi asked about the comments submitted by Mr. Cueny. He wondered if there were items that members of the Planning Commission felt needed to be discussed before the Applicant's presentation, or any that Wolff wanted to address. Wolff stated that he has an awkward position on this Site Plan as the zoning ordinance does not offer any instructions on how to review a parcel in multiple zoning districts. He stated that the Planning Commission needs to address that topic before he can guide how to apply the ordinance for this case. McGrath suggested that the meeting proceeds to the Applicant's presentation and that questions could be addressed once that was done.

#### Applicant Presentation:

Mike Fiorillo spoke to the Planning Commission about his proposed project. He is requesting Site Plan approval to rebuild a woodworking shop/studio of 2,048 square feet and a Wedding Reception Barn of 5,184 square feet that has a height of 28 feet on his property at 565 N. Coldwater Road.

Fiorillo thanked the Planning Commission for its work and support over the previous two years as he has developed this project. He stated that he has lived in Lake Isabella for at least 50 years, and after doing his due diligence is firmly of the position that this is a financially viable project. He stated that he is getting close to the age of 60 and that he would not be doing this unless he was very comfortable that it was a viable business venture.

He asked that the Planning Commission do two things at the meeting. First, he requested they grant Site Plan approve for him to rebuild the woodworking shop that was destroyed in a recent fire. Second, he asked that they allow Conditional Site Plan approval for the proposed Wedding Reception Barn. He stated that the proposed Wedding Barn would be lower in height than the dwelling on the property, and would have a maximum capacity of 250 guests with on-site parking for roughly 130 vehicles.

He stated that the Wedding Barn would be "well insulated", have the same finish scheme as the dwelling and woodworking shop, and that the windows would be fixed to keep sound inside the structure. He estimates that his investment in the barn will be about \$150,000. He stated that they have held six weddings to date and have another eight booked for 2019. He believes that offering the property as an inclusive destination that has lodging for 16, use of the property for the wedding and an on-site reception would allow him to charge enough to cover his initial investment in the first 3 to 4 years.

He stated that currently they are getting roughly 20 calls per month about the location and what is offered, and believes that if they had a permanent facility, they would be much more attractive as a destination.

Public Comments:

- Scott Wager of Crown Point Drive spoke in favor of the project. He encouraged the Planning Commission to approve the plan as in his opinion the property is an ideal location for a wedding venue and would bring additional people to our community.
- Jan Wyatt of the Barn Door spoke in favor of the project. She stated that this would be a great addition to the area and that it would certainly help support existing businesses by bringing in additional customers.
- Sarah Fiorillo also spoke in favor of the project and encouraged the Planning Commission to approve the proposal.

Planning Commission Discussion:

Grey asked about the barn and bathrooms being ADA accessible. Fiorillo stated that they would be.

Simon asked for the Applicant to provide more detail on lighting for the structures and parking area, as well as the proposed fencing. Fiorillo stated that the fencing would be a shadowbox design and that lighting would conform to the ordinance requirements.

Tafreshi asked about what should be addressed first, concerns over the site layout, or the zoning district issue discussed in the staff report.

Grey replied that he did not have any concerns with the proposed parking plan and that his biggest concern was traffic on Coldwater Road. Fiorillo stated that he was planning to use parking attendants during the arrival time for guests, then allowing only 1 of the drives to be used for them to exit.

Courser asked the Applicant what his time frame is for this being a successful project. Fiorillo stated that he wants to have the barn ready

for the 2020 season, and for that to work he would like to start marketing the property by mid-summer as the project has been approved and construction is underway.

McGrath asked the members if they had concerns regarding the proposed woodworking shop? Grey, Simon, Laraway, and Tafreshi all stated that they had no concerns over the proposed rebuild of the shop as shown on the Site Plan.

McGrath asked the Applicant if there were plans for more than just wedding related uses of the barn and property. The Applicant stated that he understands after speaking with Wolff that all of the Village's approvals to date have been specific for weddings, but in the future, he is interested in other events that could be hosted occasionally. He offered things such as car show, Halloween Dance, and other charity gatherings in the off-season.

Laraway asked the Applicant about plans for the vacant home. Fiorillo stated that the only idea he has given thought to would be to eventually fix-it-up and sell to a family member. He said that when he did so, he would likely do a land division so that it was on a separate parcel, but there are no plans to rent it out or sell it outside the family.

McGrath stated that his most significant concern is potential traffic issues on Coldwater Road. He said that he feels the proposed layout is the best arrangement to minimize any negative impacts on nearby residential uses and agrees with the proposed location of the Wedding Barn.

There was a discussion about the proposed blacktop drive, and the need for that to remain unobstructed for emergency vehicles. The Applicant stated that he agreed with the need for the drive to stay unobstructed.

Grey stated that he was comfortable with the discussion on fencing and lighting and that he would support the Applicant submitting those illustrations directly to the Zoning Administrator for final approval at the appropriate time.

McGrath asked if there were additional questions or concerns.

Grey asked about a dumpster. Fiorillo stated that he was planning on having a dumpster on-site, and it was shown on the Site Plan and located behind the fencing of the woodworking shop.

Grey asked Wolff about the split zoning of the proposed site. Wolff stated that this was a unique situation in that the ordinance offers no direction on how to handle this. He said that he offered several options in his staff report, but since the ordinance does not have anything for

him to interpret as the Zoning Administrator he believes the Planning Commission should determine the course that they wish to conduct the review by, and then he could offer advice on the correct manner to apply the ordinance.

McGrath closed the Public Hearing at 8:27 PM.

McGrath stated that before dealing with the issue of the two zoning districts, it makes sense to him that the Planning Commission address the woodworking shop since that is the Applicant's most pressing need, and the split zoning issue does not impact that aspect of the proposal.

The Planning Commission reviewed the various locations on the Site Plan for parking. The Applicant stated that a vast majority of the customers who visit his shop use the paved driveway and park next to the home and not in front of the shop.

Simon made a motion, which was seconded by Tafreshi, that whereas, based on the above information, which demonstrates conformance with the requirements of Chapters 1212, 1214, and 1262 of the Village of Lake Isabella Zoning Ordinance, the request by Mike Fiorillo for a Site Plan proposing to rebuild a recently destroyed woodworking shop/studio of 2,048 square feet with attached fencing and dumpster screening at 565 N. Coldwater Rd. be approved with the following conditions:

1. The conditions of Special Land Use permit 2002-01 for the woodworking studio remain in effect and applicable to the use of the parcel.
2. An updated drawing is submitted with the following items added:
  - a. Scale
  - b. Drawing of the floor plan for the woodworking shop.
  - c. Property Owner's name and contact information.
  - d. Updated legal description once if the proposed additional land transfer is completed.
  - e. Information on type and style of fencing, exterior lighting, and landscaping is included which are specific to the woodworking shop.
3. Exterior lighting is to be done with full cut-off fixtures, and the light directed downward.
4. Customer parking for the woodworking shop occurs at the end of the proposed paved driveway adjacent to the single-family dwelling in the area designated as "parking" on the Site Plan.
5. If a dumpster is used, that it be screened as required by Chapter 1212 of the zoning code.

VOICE VOTE: MOTION CARRIED 7-0-0.

McGrath then asked for feedback on the proposed Wedding Barn and the matter of the split-zoning.

The Planning Commission discussed how to regulate the project based on the different zoning districts. After discussion, it was agreed that the method viewed as appropriate by the Planning Commission would apply the district-specific regulations to each area of the proposed site that was zoned differently rather than apply the ECB regulations to the entire site.

Wolff stated that he feels that this is the correct approach review the project, and as such, the Site Plan for the Wedding Barn has the following issues that need to be addressed before final approval could be granted.

He stated that the proposed Wedding Barn is on an area of the proposed site zoned LR-1, and is thereby limited to a maximum size of 1,800 square feet since it is an Accessory Structure. He discussed the requirement in the ECB to have parking aside or behind structures. He stated that this could be viewed as either a requirement for the development since it is a new structure or that the parking is grandfathered-in since the use is existing.

He also discussed that the ECB portion of the proposed site was conditionally rezoned, so that adds some complexity to rezoning the LR-1 portion as the Applicant must request a conditional rezoning.

He also discussed treating the site as a Planned Unit Development (PUD). It is his opinion as the Zoning Administrator that a PUD is the most fitting manner to handle this project; however, the ordinance has a clause that a mixed-use development must be 10 acres. He advised the Planning Commission that after reviewing the Site Plan and discussing it was the Village's attorney the advice given for future projects is to amend the PUD section of the ordinance and remove the arbitrary 10-acre standard.

Wolff asked what site concerns members of the Planning Commission had, and if there were sections of the ordinance, they wished for him to address.

Tafreshi stated that he supports the project and feels that the site layout is the best configuration of all of the different items.

Grey stated that he supports more discussion and to wait for action from the Planning Commission until after the Applicant deals with the split zoning. He said that he could either get a variance or go through a rezoning. He said that he would prefer for the entire property to have the same zoning classification, and would welcome an application to rezone or conditionally rezone the balance of the site to ECB.

Courser stated that ultimately the Applicant should get to pick which method to use to address the split zoning.

Simon stated that he feels the site should be under one zoning district.

Preuss asked if the Planning Commission should delay action until the zoning district issue is addressed.

Simon stated that he would support a conditional approval that had the zoning issue as a condition needing to be addressed. His feeling is that the members of the Planning Commission appear to be comfortable with the proposed site layout and design, and that the issues which need to be addressed are administrative and not specific to elements of the proposal.

There was additional discussion regarding the best option to address the zoning matter. After discussion, the Planning Commission felt that it was not appropriate to require a specific manner, but that any of the ways discussed would be suitable and should be presented to the Applicant.

There was additional discussion regarding the parking situation. The Planning Commission agreed that in their opinion since the parking has been occurring street-side for past Wedding Events that it should be viewed as a grandfathered condition. Grey stated that if the Applicant pursued a conditional rezoning, it would be wise to consider including that acknowledgment as one of the clauses in amending the existing agreement. He stated that if the Wedding Barn remained in the LR-1 district, he does not feel that the parking nearer the street than the barn is an applicable condition.

Laraway made a motion, which was seconded by Tafreshi, that whereas, based on the above information, which demonstrates conformance with the requirements of Chapters 1212, 1214, and 1262 of the Village of Lake Isabella Zoning Ordinance, the request by Mike Fiorillo for a Site Plan proposing to develop a Wedding Reception Barn of 5,184 square feet, with a height of 28 feet, at 565 N. Coldwater Rd. be approved with the following conditions:

1. The conditions of Special Land Use permit 2017-01 for the Wedding Reception Venue to remain in effect and applicable to the use of the parcel. Specifically, hours of operation, noise compliance, and events limited to wedding receptions.
2. An updated drawing is submitted with the following items added:
  - a. Scale
  - b. Property Owner's name and contact information.
  - c. To provide an updated legal description once the proposed additional land transfer is completed.
  - d. Information on type and style of fencing, exterior lighting, and landscaping is included which are specific to the woodworking shop.

3. Exterior lighting is to be done with full cut-off fixtures, and the light directed downward.
4. Illustrations/drawings of the proposed fencing and lighting are submitted to the Zoning Administrator for review and approval before installation.
5. The Applicant must bring the site into conformity with the zoning code in any of the manners discussed, including any of the following; if the zoning for the Wedding Barn stays LR-1 to obtain a variance allowing for an Accessory Structure of that size and the ZBA's approval of the parking as a grandfathered condition; Rezoning the LR-1 portion to ECB through a traditional rezoning or a conditional rezoning agreement; or, approval as a Planned Unit Development (PUD) including a variance from the 10 acre mixed-use requirement.
6. The Zoning Administrator or his/her designee shall be granted access to the site annually to confirm that the conditions of the Site Plan are being satisfied.
7. All on-site utility and communication lines, and any new off-site utility or communication lines that are servicing new development shall be located below ground at depths approved by the Michigan Public Service Commission.
8. The blacktop drive remains free from parking and obstructions during weddings and related events to allow for emergency vehicle access.
9. If a dumpster is used, that it be screened as required by Chapter 1212 of the zoning code.
10. Only one drive is utilized as an exit location from the site once an event has started.

VOICE VOTE: MOTION CARRIED 7-0-0.

**Public Comments:** None

**Existing Business:**

1. Review of Submitted Comments, Master Plan Draft;

The Planning Commission reviewed the comments submitted by Isabella County, the Michigan Economic Development Corporation, and the East Michigan Council of Governments.

There was discussion regarding how to incorporate the implementation strategy as requested by the MEDC and other items that should be included. Blight, roads, and drainage matters were discussed. Wolff stated that he would like to add more to the draft in all three areas before holding a public hearing.

The Planning Commission set a goal for the public hearing at the May meeting. It was also discussed that the Village Council and Planning Commission should hold a joint meeting to review the draft and address any issues before being adopted.

**New Business:** None

**Public Comments:** None

**Adjournment:**

With no further business, the Planning Commission adjourned at 9:28 PM.

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Jeffrey P. Grey  
Village Clerk

March 11, 2019

To: Dave McGrath, Chair Person, Tom Courser, Jeff Grey, Robert Laraway, Bill Preuss, Mike Simon, & Farzad Tafreshi

**RE: Public Hearing on Proposed Site Plan 565 N. Coldwater Road**

As a Concerned Citizen of the Village of Lake Isabella the proposed Wedding Barn (72 ft. X 72 ft. or 5,184 sq ft.) on said property is currently over the 1,800 sq ft cap by more than 2 ½ times. Plus the 28 ft. height of the proposed barn is a concern at this location. The proposed Barn is a very large structure that will be there for years & years to come if approved. The following are some of my concerns:

- This is a very large and expensive building for just a Wedding Event Barn. If other events are held there than it would be considered an "Assembly Hall" not a Wedding Event Barn. This Property is currently only approved for Wedding Events.
- It is my personal opinion that weddings will not support the cost of the proposed Wedding Event Barn. Therefore there will be a very large building on said property approved for Wedding Events only and not being able to be used for other functions / businesses unless the Village in the future grants it to be an Assembly Hall, Storage Building or some other type of function / business.
- Regarding two houses on a single parcel, I believe that if the properties are combined as proposed that this now creates a new parcel and therefore must conform to the Village current Ordinance of only one house per parcel. Therefore I believe that one of the houses will need to be permanently removed from the new combine property.
- Parking was approved for Wedding Events that used a tent which was a temporary structure. Now that a proposed permanent structure is being proposed I believe parking should conform to the current Village requirement to the side or rear of the building. I am not against parking in front however if we allow it on this development than we need to change the ordinance for other developments.

**I therefore request as a Concerned Citizen of the Village of Lake Isabella that the Planning Commission deny this Proposed Site Plan as submitted. That the Planning Commission suggest that the Applicant submit two new Proposed Site Plans as follows:**

- A. Site Plan for Rebuilding of the destroyed Woodworking Shop/Studio with a more detail plan, so that there is no confusion during the construction on what the new building design, landscaping, etc. will be. Hopefully this Site Plan can be reviewed and obtain approval in a short period of time so Applicant can get his Business back up and running.
- B. Site Plan for a revised Proposed Wedding Events Barn that addresses the concerns stated above. I do not see this Site Plan needing fast approval. This whole Site Plan should be reviewed very closely since it will impact the Village now and in the future.

Thank You all for considering my concerns on this Proposed Site Plan for 565 N. Coldwater Road.

A Concerned Citizen of Lake Isabella,

Paul J. Cueny  
1056 Clubhouse Drive  
Lake Isabella, Michigan 48893