



Village of
Lake Isabella

Planning Commission
June 11, 2019
Regular Meeting
1010 Clubhouse Drive
Lake Isabella, MI 48893

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

Members Present: Laraway, Grey, Preuss, Courser, and McGrath
Members Excused: Simon and Tafreshi

Agenda Approval:

Laraway made a motion, which was seconded by Courser, to approve the Agenda as presented. VOICE VOTE: MOTION CARRIED 5-0-0.

Approval of Minutes:

Courser made a motion, which was seconded by Laraway, to approve the minutes of the April 16, 2019, meeting as presented. VOICE VOTE: MOTION CARRIED 5-0-0.

Reports:

- **Chairman:** Discussed the recent joint meeting between the Planning Commission and Village Council. He stated that he felt it was a positive meeting and would like to see that it happens again at least annually.
- **Village Manager:** Wolff discussed the Queens Way and El Camino Grande resurfacing project scheduled for June 19-20.
- **Village Council:** Grey discussed the events of the May Village Council meeting.
- **Zoning Board of Appeals:** Wolff reviewed the May ZBA meeting.

Public Hearings:

1. Special Land Use 2019-02

McGrath opened the public hearing at 7:09 PM.

Public Comments:

- Pam Johnson of 1000 Par Drive spoke against the proposed building. She stated that she and her late husband were granted a lifetime license to access the lake over the are of Mr. Frazier's property where he is proposing to build the garage.
- Wayne Frazier discussed the past issues that he and the Johnsons have had regarding the use of this ~~are~~ area to access the lake. He stated

that they have already been to court on the matter and that there have been past problems with the Johnsons leaving the dock and boat on his property.

McGrath asked Wolff if the Village had a formal position on the situation. Wolff stated that he reviewed the matter with the Village's attorney, and both he and the attorney are of the opinion that this is a civil matter between the Johnsons and Fraziers. He stated that the agreement in question is not a recorded easement, and is not a part of the plat. He also noted that the Village deems such agreements as a violation of the single-family use of property, and has fought similar efforts in the past. He stated that it would be inappropriate to factor the agreement into the approval process as the agreement is a violation of the zoning code, and has been since being entered into between the Johnsons and Hugh Berghouse in 2000. Wolff also stated that the Village has never been asked to be a party to the agreement and that the Village was never included in any past legal proceedings regarding the agreement.

McGrath closed the public hearing at 7:26 PM.

Grey made a motion, which was seconded by Preuss, to approve Special Land Use Permit 2019-02, allowing the construction of an accessory structure with a footprint of 1,600 square feet and attic storage at 1026 Clubhouse Drive subject to the following conditions:

1. The use of the Accessory Structure shall be limited to the personal storage and use of the resident of 1026 Clubhouse Drive, and may not be used to operate a Home Occupation as defined in the zoning code or other business without seeking additional approvals from the Village.
2. The attic storage area shall not be used for dwelling space or as an Accessory Dwelling unit unless further approved by the Village.
3. The detached garage must remain on a parcel of at least two acres and remain accessory to a single-family dwelling unless the zoning code is amended in the future to amend either of these requirements.
4. The Village is not a party to, nor should this approval be deemed as any position with respect to, a private License Agreement involving lot 564 and all parties are advised to proceed at their own risk.

VOICE VOTE: MOTION CARRIED 5-0-0.

2. Special Land Use 2019-03.

McGrath opened the public hearing at 7:29 PM.

Public Comments: None

McGrath closed the public hearing at 7:30 PM.

Grey stated that he feels the large garage door should have a window, even though it is not facing a street.

Preuss stated that the siding needed to match the house.

Grey stated that he feels there are enough trees along School Road to block the view and that the siding proposed is OK.

McGrath stated that the proposed siding matches the neighborhood.

Courser stated that he thinks there is enough distance between the home and proposed accessory structure that matching siding is not needed.

Grey stated he would be OK with the building if the garage door had a row of windows.

Grey made a motion, which was seconded by Courser, to approve Speical Land Use 2019-03 with the following conditions:

1. The use of the Accessory Structure shall be limited to the personal storage and use of the resident of 1001 Campo Court, and may not be used to operate a Home Occupation as defined in the zoning code or other business without seeking additional approvals from the Village.
2. If electricity is installed in the detached garage, all service lines to the structure must be located underground.
3. Landscaping or trees shall be maintained between the structure and School Road that met the ordinance requirements for screening.
4. The garage door shown on the submitted plans facing the home must include one panel with windows as it is over 8 feet in height.

VOICE VOTE: MOTION CARRIED 4-1-0 (Preuss voted No).

3. Proposed Ordinance 2019-04; Small Cell Wireless Equipment & Facilities.

McGrath opened the public hearing at 7:40 PM.

Wolff provided a synopsis of the proposed ordinance.

Public Comments:

- Wayne Frazier of Clubhouse Drive stated that he did not feel it was wise to adopt an ordinance that could limit development and investment in the community.
- Mike Scherba of Isabella Vista stated that he supports adopting an ordinance that protects the Village's right-of-way and prohibits above ground utility lines.

Grey stated that he opposes above ground lines in the Village.

McGrath closed the public hearing at 7:45 PM.

Preuss made a motion, which was seconded by Laraway, to recommend Proposed Ordinance 2019-04 to the Village Council for adoption. VOICE VOTE: MOTION CARRIED 5-0-0.

Public Comments:

- Mike Scherba of Isabella Vista thanked the Village for its continued funding for the weekly e.coli testing in the summer.

Existing Business:

1. Master Plan Draft.

Grey made a motion, which was seconded by Preuss, to recommend the amended Master Plan draft to the Village Council for adoption. VOICE VOTE: MOTION CARRIED 5-0-0.

New Business:

1. Preliminary Review of Application Special Land Use 2019-04; 1012 Castle Drive.

The Planning Commission discussed a proposed project at 1012 Castle Drive that will be subject to a public hearing at the July meeting. The Applicant is proposing to build a garage with a footprint of 1,260 feet, but with overhangs on each side of the roof.

Grey asked what the purpose of the overhangs are? The Applicant stated that they would be storing their snowmobile trailer under one of the sides. Laraway and Grey both stated that they feel the overhangs should not be counted towards the façade width.

Courser stated that he feels the façade should be calculated from the edge of the roof.

McGrath stated that he was not opposed to the overhangs and felt that the requirement for an offset should be based on the footprint.

Courser stated that he feels the overhangs go against the spirit of the ordinance.

Preuss stated that he felt the façade did not require an offset due to the footprint being only 30 feet.

2. RRC Priority Sites.

The Planning Commission reviewed sites and did not object to the Village contacting any of the owners about involvement in the RRC program.

Public Comments:

- Mike Scherba of Isabella Vista stated that he agrees with Courser about the façade issue for Special Land Use 2019-04. He suggested looking at the total area under the roof as what is the true size of the structure.

Adjournment:

With no further business to conduct, McGrath adjourned the meeting at 8:30 PM.

Jeffrey P. Grey

Jeffrey P. Grey, Village Clerk