

VILLAGE OF LAKEVIEW
VILLAGE COUNCIL – PLANNING COMMISSION – ZONING BOARD OF APPEALS
MEETING MINUTES
May 26, 2021

President Case called the meeting to order at 6:30 p.m.

Members Present: Steve Case, Dominic Trevino, Emily Griffith, Lane Leppink, Kate Behrenwald, Greg Saxton, Chris Fryover, Ed Winter, Craig Farrell, Chad Lincoln, Jill Mitchell and Michelle McElhinney.

Members Absent: Lynn Saxton, Dave Lund and Gary Padden

Also Present: Manager & Chief, Darin Dood and Melissa King.

Guests: Doug Piggott from ROWE Professional Service Company

AGENDA APPROVAL: Resolution #2021-05 added to agenda. Trevino moved and Fryover seconded to approve the agenda as amended. Motion carried.

PUBLIC COMMENTS: None

Business

Resolution #2021-05 – Resolution authorizing the Village/Airport Manager to execute contract documents on behalf of the Village of Lakeview. Saxton moved and Leppink seconded to adopt Resolution #2021-05. Motion carried.

Appointments

Dominic Trevino resigned as President Pro-Temp of the Village Council. Emily Griffith was asked to fill the roll of Pro-Temp. Behrenwald moved and Fryover seconded to accept Trevino's resignation and have Griffith step into the Pro-Temp position. Motion carried.

Administration of Oath

Jill Mitchell was given the Oath of Office for her seat on the Planning Commission.

Council Minutes May 11, 2021

Saxton moved and Griffith seconded to approve the minutes from the May 11, 2021 Regular Council Meeting. Motion carried.

Planning Commission Minutes August 26, 2020

Fryover moved and Trevino seconded to approve the Planning Commission minutes from August 26, 2020. Motion carried.

Zoning Board of Appeals Minutes October 10, 2019

Fryover moved and Behrenwald seconded to approve the ZBA minutes from October 10, 2019. Motion carried.

Ski Show

The Kim Wilk Water Ski Classic Sponsor, Shorts Brewery, is asking approval for a beer tent for the ski event being held on June 12, 2021. The beer tent will not be open to the public. Unless you are a paid spectator, you will not be allowed into the area. The cost to be a spectator is \$30. Shorts Brewery will have a designated area for this. If you choose to be a paid spectator, you will receive free items along with admission to the tent. Trevino moved and Fryover seconded to approve the beer tent for the Kim Wilk Water Ski Classic. Motion carried.

Zoning Ordinance Kick-off

Our current Ordinance is from 1994. The process to adopt a new Zoning Ordinance will take approximately 9 months. We will be educated on the planning basics, statutory authority, roles and responsibilities, procedures and powers.

The planning is so we can direct development in a manner that will have a better outcome than if we did nothing at all. The process shows where we are today, where we will be tomorrow, what is the best way to get there, getting there and are we there yet.

The Zoning Ordinance is the tool that implements the Master Plan. If you want to have a Zoning Ordinance you have to follow the Michigan Zoning Enabling Act of 2006. As part of the Zoning powers, you can classify uses, establish dimensional standards for structures, establish standards for the layout and design of buildings/sites and you can have requirements to protect natural features and resources. You can also establish procedures for review/approval, set fees, and have enforcement guidelines. There are limitations on Zoning authority. We must follow procedures as set forth in Michigan Zoning Enabling Act.

The roles and responsibilities for the Master Plan Process and Zoning Process were reviewed. The Planning Commission is required to adopt Bylaws, the ZBA is not required to adopt Bylaws but it is highly recommended. The Planning Commission shall elect a chairperson and secretary from its members. The Bylaws should specify how the meetings are called, the limitations on public comment, structure of the agenda and the voting procedures. The Planning Commission shall make an annual written report to the legislative body concerning its operation and status of planning activities. Planning Commission meetings are open to the public and any person must be allowed to address a meeting. Membership on the Planning Commission is a position of public trust. Members must remove themselves from participation in a matter in which there is a potential conflict of interest. All administrative decisions should include the findings of facts. This is the basis for the motion. These findings should be in the minutes. When creating a motion, it is important to include Action, Location, Finding of Facts, and Conditions. This motion should *not* be laid out ahead of time. It is important that the full motion is read out loud to be clear what is being voted on. The conditions for approval on Site Plans, SUP, Variance and rezoning were discussed.

Break from 7:40 PM to 7:50 PM

The Site Plan Review has 8 standards for approval (section 12.05). These are the items the Planning commission should be looking at to determine approval or denial of a site plan. When a special Use Permit application is submitted, a public hearing must be held. For a Zoning Ordinance Amendment, notice must be given for the Planning Commission to hold a public hearing and then the decision is made by Village Council. The Council may hold a public hearing also.

The ZBA has the power to hear Appeals from residents and they can interpret the Zoning Ordinance. There are two types of Variances. A use variance and a non-use variance. All non-use variances must meet all standards in sec 703.5.i.1.

The Structure of the Zoning Ordinance.

It is important to know the current Ordinance to understand how it reads and how we want it to read. We currently have 20 chapters in the Zoning Ordinance and the proposed Ordinance will have 14. The current Ordinance has a conventional page numbering system. ROWE is proposing a page numbering system based on the article number. The font style/size structure recommended was Arial 11 point and was agreed upon by members. The definition footers were also liked. Our current Ordinance does not have illustrations/tables but ROWE recommends illustrations/tables for the new Ordinance. The table of uses clarifies the relationship between uses in the district regulations, the definitions of uses, the parking requirements for uses, and the design standards for uses. Abbreviations are used in Zoning Ordinances. It was felt the first time it is used in a chapter it is spelled out. Going forward the abbreviation would be used. The recommendation from ROWE is a single column to format Ordinances. It makes it easier to insert tables and illustrations. When discussing the table of contents and indexes it was decided to omit indexes. It is important to have public engagement when drafting a Zoning Ordinance. Stakeholder interviews will take place early on in the process and the Zoning Ordinance Open house will occur after the draft is prepared. A summary of changes will be distributed also.

Zoning Ordinance Issues we would like to see addressed are:

Signage

Unoccupied residences

Foundations

Our Ordinance needs to be user friendly (satellite, screening)

The next time we meet we will start with technical analysis (the last four ZBA meetings will be addressed). The meeting time will be in approximately 4 weeks. The material will be distributed one week in advance to members in PDF form.

Trevino moved and Behrenwald seconded to adjourn meeting at 8:42 PM. Motion carried.
Respectfully submitted,

Melissa King
Village Clerk

The village of Lakeview is an equal opportunity employer and provider.