

**VILLAGE OF LAKEVIEW  
PLANNING COMMISSION MINUTES  
AUGUST 17, 2021**

Chairman Lund called the Planning Commission Meeting to order at 6:30 P.M.

Members Present:      Dave Lund, Gary Padden, Michelle McElhinny, Ed Winter, Chad Lincoln and Emily Griffith.

ZBA Members:      Gail Dolbee, Mike Pretzel and Curt Collar

Members Absent:      Lynn Saxton and Craig Farrell

Also Present:      Manager Dood and Melissa King

Guests:      Doug Piggott

Griffith moved and Lincoln seconded to approve agenda as presented. Motion carried.

Public Comments: None

**Business**

**Draft Documents**

**Chapter 13 – Zoning Board of Appeals**

Section 13.01 through 13.10 were reviewed with the changes made from the previous meeting.

In chapter 13.10 the reason was given why we notify property owners of a hearing. This is to get their input, not to veto a situation. We would like to know the impact it may have on them.

For ZBA's benefit, Doug was asked to give a scenario where the ZBA could approve or deny a request. We have 5 standards and the requestor is supposed to meet all 5 of those. These are listed in 13.09. When you have a meeting and are reviewing the standards, it is good to document why or why not they meet the standards. You only need 1 item that doesn't meet the standards to deny a request.

One of the things we will do at the end of this process is have a joint meeting, like we did at the kick off meeting. This will be a training session on the new ordinance to show us how to administer the new ordinance.

**Chapter 12 - Administration and Enforcement**

Sections 12.01 through 12.12 were reviewed with the changes made from the previous meeting.

**12.03 – Zoning Permits.** Anytime someone wants to do a project that impacts the zoning ordinance, or is regulated by the zoning ordinance, the Zoning Administrator verifies that they are in compliance. The purpose of the permitting process is to make sure everything is consistent in the Village. When an ordinance is updated, any site that no longer complies to that ordinance is then grandfathered in. This site would then be added to the list of non-conforming lots. If/when the site is changed, then you could require it to be in compliance.

**Chapter 14 – Amendments**

Section 14.01 through 14.05 were reviewed with the changes made from the previous meeting.

In section 14.04 we are reminded that our role on the Planning Commission is to review the request to amend the zoning ordinance and determine that the requested amendment is consistent with the village master plan.

One important step in the process is the affidavit outlining the conditions that were approved gets filed with the register of deeds so that anyone who buys the property in the future is aware of the conditions of the rezoned property.

### Technical Analysis - Special Land Use

All zoning districts have uses allowed either by right or as a special land use. By right means that you have to meet requirements. If you meet the requirements, you have a right to file a site plan and do it. A special land use requires approval from the planning commission.

#### Special land use procedures.

The clerk will receive the application. The applicant has to have the application in 21 days before the Planning Commission meeting. The same people that review the site plan should review the application for the special land use. The Planning commission approves the planning application. A decision shall be made within 30 days of the public hearing but it can be extended with a mutual agreement between the Village and the applicant.

Notice, Decisions, Appeal and Conditions will remain as presented.

#### Time limits

The special land use time limit should be the same as the variance site plan, one year. Construction will need to start within one year of the application and then they follow the building permitting process.

Amendments, Effect of Denial will remain as presented.

#### Revocation/Abandonment

The special land use permit goes with the property. If the new land owner doesn't do what the permit stated the village can revoke the permit. A provision will be included that states the village can revoke a SLU permit because it is not being used anymore.

### Technical Analysis Condominium

This will be a new chapter under the draft zoning ordinance.

A Condominium refers to the form of ownership not the structure.

This chapter states that you will follow the same process that you would follow for a site plan review.

#### Review Process

We would take into account the unique characteristics of a condominium. Additional information and standards for approval will be required because it is a condominium.

The Zoning Standards, Design Standards and Survey Requirements will remain as presented.

Winter moved and Griffith seconded to adjourn at 7:55 PM. Motion carried.

Respectfully submitted,

Melissa King  
Village Clerk