

CITY OF CHARLEVOIX PLANNING COMMISSION MEETING MINUTES
Monday, August 10, 2009 – 7:00 p.m.
210 State Street, City Hall, Council Chambers, Charlevoix, Michigan

A) CALL TO ORDER

The meeting was called to order by Chairman Hess at 7:00 p.m.

B) ROLL CALL

Commissioners Present: Larry Boog, Judy Clock, Toni Felter, Francis (Brownie) Flanders, John Hess, Brian Vollmer and D. J. Way
Commissioners Absent: Members Buday (excused) and Cross
Staff Present: City Planner Mike Spencer

C) INQUIRY INTO POTENTIAL CONFLICTS OF INTEREST None.

D) APPROVAL OF AGENDA

The Commission agreed to approve the agenda as presented.

E) APPROVAL OF JULY 16, 2009 MINUTES

The Commission reviewed the proposed minutes. Motion made by Commissioner Boog and seconded by Commissioner Flanders to approve the July 16, 2009 minutes as presented. Motion adopted by a unanimous voice vote.

F) CALL FOR PUBLIC COMMENT (Not related to agenda items) None.

G) OLD BUSINESS

1. Review Proposed Zoning Amendments

City Planner Mike Spencer reviewed the draft ordinance with the Commission. The ordinance proposes to eliminate the existing definitions for boat dock space, building roof, height of building, overall. The definitions would be replaced with new definitions for boat dock space, building roof, height of building and setback.

Definition of boat dock space

The Planner advised the Commission that he is uncertain if the Code can regulate dock spaces as they are over the water. The Commission asked that the definition of "boat docking space" be modified to reflect that a boat is moored, not parked.

Definition of building roof

The definition for building roof was reviewed. Commissioner Boog asked for clarification on whether plumbing vents were to be included in building height. The Planner advised the Commission that plumbing vents are excluded from building height calculations in another part of the proposed ordinance.

Definition of height of building

The Commission reviewed the proposed definition of height of building. The Planner informed the Commission that the new method of determining structure height can be a little confusing; so it is his

intent to include a sketch in the proposed ordinance that would clarify how to measure the height of a building.

Commissioner Clock asked that the Commission consider modifying the amendment to have the height of building be measured from the highest point of the roof, not the mean height level.

Commissioner Flanders stated that we do not wish to encourage people to build square boxes. We need to encourage various roof styles and by measuring to the mid-point.

The Commission agreed to allow the buildings to be measured from the mean height.

Definition of setback

The Planner reviewed the proposed definition for setback.

Commissioner Flanders asked that the proposed amendment be modified; the proposed definition measures to the sky. It was agreed to amend the definition to reflect that the setback is to be measured upward to a building's maximum allowable height.

Section 5.176 – Accessory buildings

The Planner reviewed the proposed amendment of Section 5.176 Accessory Buildings. The amendment adds paragraph (6), which requires boat houses to obtain a special use permit. The Commission reviewed the proposed language.

Commissioner Clock asked if we can regulate the size of boat houses on individual lots. The Commission agreed that the amendment should include a provision that limits the size of a boat house.

Commissioner Vollmer asked the Commission to consider larger boat houses, as the property owner may own a large boat. The Commission reviewed the size of existing boat houses in the Round Lake area. The Commission agreed to limit the size of boat houses to 2,000 square feet. The Planner will prepare diagrams of existing boat houses for the Commission to review at its next meeting.

If the Commission wishes to modify the allowed uses in a boat houses, for example, bathrooms and laundry facilities, it should consider amending the definition of boat house. The Commission agreed to not permit kitchen facilities in boathouses. The Commission agreed to allow one bathroom in a boat house. The Planner shall modify the definition of a boat house to permit one bathroom and to prohibit kitchen facilities.

The Commission discussed if boat houses should have a separate standard for building height. The Commission agreed to have boat houses meet the same height requirements as other structures.

The Commission reviewed if boat houses should have a minimum of one working door on the water side of the boat house. The Commission agreed to not require a boat house have at least one door on the water side.

The Commission reviewed the proposed addition of paragraphs (6) and (7) to Section 5.200 Building Heights. Paragraph (6) outlines how a structure is to be measured to determine its building height; the section would also include diagrams. The Commission discussed how a builder would determine a building's height.

The Planner reviewed paragraph (7) with the Commission. The Commission asked that the section be amended to separate the various regulations.

Section 5.218 (7) Flags

Section 5.220, Number and square footage of signs

Section 5.222 Height, setback and project requirements

The Planner advised the Commission that he met with the Downtown Development Authority Board and received their comments on allowing advertising flags. The majority of the Board proposed an option that would permit businesses to have a neon "open" sign, a sandwich board sign or an "open" flag. The DDA felt that a regular size flag is too big. Presently, flags are prohibited by the Code. The Code permits sandwich board signs to be placed on private property. The Commission reviewed existing sandwich board regulations. The Code limits neon signs to less than six square feet and to hotel/motel "no" vacancy signs.

The Commission agreed to allow advertising flags at a maximum size of six square feet.

Section 5.272 Zoning permits

The Commission reviewed the proposed ordinance language. This section allows for a performance guarantee to be furnished for residential developments.

2. Motion to Set Public Hearing for September 14, 2009

The Commission agreed to set a public hearing on September 14, 2009 to review the proposed changes to the zoning code. The meeting will start at 6:00 p.m.

3. Planner's Moments Unit 8: Density

The Commission tabled this item to a future meeting.

H) NEW BUSINESS None.

I) STAFF UPDATES AND CORRESPONDENCE

1. Requests for research to be completed by City Planner. None.

J) REQUESTS FOR NEXT MONTH'S AGENDA.

Public hearing on proposed amendment to Chapter 51, Zoning
Planner's Moments Unit 8: Density

K) ADJOURNMENT

Meeting adjourned at 8:18 p.m.

Respectfully submitted by Linda Weller, Recording Secretary

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John Hess, Chairman

Linda Weller, Recording Secretary

Carol A. Ochs, City Clerk