

CITY OF ORCHARD LAKE VILLAGE

MINUTES OF THE REGULAR PLANNING COMMISSION MEETING

July 1, 2014

Chair Valvona called the Regular July Meeting of the City of Orchard Lake Village Planning Commission to order at 7:00 p.m. on July 1, 2014 at City Hall, and led the Pledge of Allegiance.

ROLL CALL

PRESENT: Chair Valvona, Vice Chair Wade, Commissioners Bradbury, Sutschek, Magnell, Birrell, Krause, and Pedell.

ABSENT: Commissioner Dziuba

STAFF: Director of City Services McCallum and Building Department Clerk Yacoub

GUESTS: None

MAY 6, 2014 REGULAR PLANNING COMMISSION MEETING MINUTES

A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER KRAUSE TO APPROVE THE MAY 6, 2014 REGULAR PLANNING COMMISSION MEETING MINUTES.

MOTION CARRIED 8-0

PUBLIC HEARING- ORDINANCE NO. 14.01, ARTICLE IV-A, SUB-SECTION C, FOOTNOTE "A" (SETBACK OF TEMPORARY SIGNS)

Chair Valvona opened the public hearing at 7:04 pm.

Commissioner Sutschek suggested keeping the existing language of footnote "A" and add to it the setback requirements for the temporary signs. Director of City Services McCallum mentioned that the setback requirements for free standing signs are indicated in Section 4A-08; sub-section F, where footnote "A" should be for the temporary signs requirements only.

Commissioners agreed to change the language of the Footnote "A" in Article IV-A, sub-section C to *"The temporary sign shall be setback a minimum of ten (10') feet from the traveled portion of the road and permission of placement of the sign must be obtained from the property owner abutting the road right-of-way"*.

A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER PEDELL TO CHANGE THE LANGUAGE ON FOOTNOTE "A" OF ARTICLE IV-A, SUB-SECTION C AND SEND TO CITY COUNCIL FOR FIRST READING.

MOTION CARRIED 9-0

At 7:09 pm Chair Valvona closed the public hearing.

PUBLIC HEARING-ORDINANCE NO. 14.01, ARTICLE IV, SECTION 4.17, SUB-SECTION B (PLACEMENT & REMOVAL OF DOCKS, BOAT HOISTS AND OTHER SEASONAL FIXTURES IN THE WATERS OF THE LAKES).

Chair Valvona opened the public hearing at 7:10 pm.

Commissioner Magnell expressed concern about the elimination of Article IV, section 4.17, sub-section B, and mentioned that eliminating this section of the ordinance will allow floating objects in the water.

Director of City Services McCallum mentioned that this issue has been discussed at the Council meeting: 80% of waterfront residents remove their docks during the winter to prevent damage and not because of the City Ordinance. Council felt that the Ordinance lacked the ability for enforcement because of the grandfathered docks and the inability to access the lakeside yard to verify a violation.

Commissioner Pedell does not support the elimination of sub-section B of Section 4.17 of Article IV, but did mention that the City Attorney indicated that the City is not liable for any damages if incidents occur, but, instead, it is the homeowner who will be held responsible.

Vice Chair Wade mentioned that the State does not allow permanent docks unless approved by the DNR.

Commissioner Sutschek stated that if the ordinance cannot be enforced then it should be eliminated to avoid any legal issues.

A MOTION WAS OFFERED BY COMMISSIONER SUTSCHEK AND SECONDED BY COMMISSIONER KRAUSE TO ELIMINATE ARTICLE IV, SUBSECTION B OF THE ZONING ORDINANCE AND SEND TO COUNCIL FOR FIRST READING.

MOTION CARRIED 6-2, COMMISSIONERS PEDELL AND MAGNELL OPPOSED

At 7:23 PM Chair Valvona closed the public hearing.

AUGUST 5, 2014 PLANNING COMMISSION MEETING DATE CHANGE

Due to the Election Day on August 5, 2014, Commissioners decided to change the August 5, 2014 Regular Planning Commission Meeting to Tuesday, August 12, 2014.

OTHER BUSINESS

Commissioner Magnell mentioned that the home height requirements of the City Zoning Ordinance are lower than other communities and suggested to the Planning Commission to review this section of the Ordinance for modifications.

Director of City Services McCallum stated that any changes to the Zoning Ordinance must be directed by City Council. Planning Commission can send a letter to Council for direction.

Chair Valvona asked commissioners whether they agree to send a letter to City Council to modify the home height requirements. Commissioner Pedell believes that the height requirements do not need to be changed.

A MOTION WAS OFFERED BY VICE CHAIR WADE AND SECONDED BY COMMISSIONER BRADBURY TO KEEP THE HOME HEIGHT REQUIREMENTS OF THE CITY ZONING ORDINANCE AS IS WITHOUT ANY CHANGES.

MOTION CARRIED 7-1, Commissioner Magnell Opposed

Commissioners asked for a new copy of the City Zoning Ordinance to ensure that all commissioners are using the updated version of the Ordinance.

ADJOURNMENT

THERE BEING NO FURTHER BUSINESS, COMMISSIONER PEDELL MOVED TO ADJOURN THE MEETING AT 7:58 P.M. VICE CHAIR WADE SECONDED THE MOTION.

MOTION CARRIED 8-0

VINCE VALVONA

CHAIRMAN

NY

9-30-14

RHONDA MCCLELLAN

CITY CLERK