



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION
MEETING MINUTES OF JUNE 8, 2022

The meeting was called to order at 5:00 p.m., by Chairperson Hetler.

Present: Feringa, Hetler, Hylwa, Pontius, Smith and Suppes
Absent: Ostrowski
Staff present: Fay and Miller
Guests: Karrie Zeits, Attorney
Tim Figura, Attorney
Bahle representatives

Approval of agenda

Smith moved, Pontius seconded, CARRIED, to approve the agenda as amended. Pontius requested an addition to the agenda, Citizen Planner presentation. Ayes: 6, No: 0.

Approval of minutes

Feringa moved, Smith seconded, CARRIED to approve the May 11, 2022, Planning Commission meeting minutes as presented. Ayes: 6, No: 0.

Public comment/Written communications

A written communication was received from Greg and Shirley Hodge, regarding the Zoning Ordinance Conditional Rezone request, clarifying the location of their remodeled home.

Public Hearing – Zoning Ordinance Conditional Rezone Request – 301 South Shore

Chairperson Hetler introduced Karrie Zeits, Attorney for the Village. Ms. Zeits stated Kopriva, Planner, is unable to attend the meeting tonight, and that Kopriva recommends continuing the public hearing at the next scheduled Planning Commission meeting. Concerns have been raised and forwarded to legal counsel requesting an opinion as to whether the application meets the requirements for a conditional rezoning request. Kopriva will provide a staff report for the next public hearing, following an opportunity for a thorough and proper legal review according to statute and procedure. Zeits stated the order of procedure allows the public to provide their input tonight. The applicant may provide rebuttal tonight, or at the continued public hearing.

The public hearing opened at 5:14 p.m. Hetler stated the following:

An application has been filed by Lois Bahle, Rich Bahle, Karl Bahle, & Chris Bahle for a conditional rezoning of property located at 301 S Shore Drive. The applicant is requesting that the parcel be conditionally rezoned from Single Family Waterfront District to Newer Village Residential and subject to the following voluntary conditions:

Limitation on the building footprint on resulting waterfront parcels to no more than 2400 square feet, which is less than the 30% coverage limitation in the NVR District.

Limitation on distance from the waterfront to no greater than adjacent developments or an average of the two adjacent developed setbacks. Recent remodeling at the nearby parcel, 223 S. Shore Dr., may have resulted in a structure closer to the waterfront and will not be used in this calculation.

Front road set back of 15 feet per the NVR standards.

Side set back of 15 feet per the NVR standards.

The conditional rezoning would be abandoned if a land division is not completed within 7 (seven) years.

If the land division is completed, the resulting parcels would include deed restrictions establishing the above conditions.

Hetler continued with the guidelines to be used in in consideration of amendments to the Zoning Map:

1. Whether or not the proposed rezoning is consistent with the goals, policies and future land use map of the master plan; or, if conditions have changed significantly since the master plan was adopted, and the map change would be consistency with recent development trends in the area.
2. Whether the proposed district and the uses allowed are compatible with the physical, geological, hydrological and other environmental features of the site. The potential uses allowed in the proposed zoning district shall also be compatible with surrounding uses in terms of land suitability, impacts on the community, density, potential influence on property values and traffic impacts.
3. Whether, if rezoned, the site is capable of accommodating the uses allowed, considering existing or planned infrastructure including streets, sanitary sewers, storm sewer, water, sidewalks, and street lighting.
4. Other factors deemed appropriate by the Planning Commission or Village Council.

Tim Figura, Attorney for the applicants, presented a tax parcel map pointing out the parcel in question. Figura referred to his application. He stated that 60% of waterfront lots were made non-conforming when the minimum lot size was increased to 20,000 square feet. If the application is approved, it would allow the Bahles to the request a land division, which would then allow two conforming lots according to zoning in the single-family waterfront district.

A public comment supporting the application was received from Don Hacker.

Public comments in opposition to the application were received Jim Houk, Lori Shader-Patterson, and Rick Andrews.

Hetler moved, Hylwa seconded, CARRIED, to continue the public hearing on 45-043-828-031-00, 301 South Shore Drive, Suttons Bay to July 13, 2022, at 5:00 p.m. Ayes: 6, No: 0.

Final Survey Review

Hetler stated the final Community survey has been received and given to Commissioners. She requested Commissioners review the survey and have responses back to the Clerk within two weeks. Hetler stated Planning Commissioners will not be conducting a separate business survey but to consider adding a question to the survey such as, "Are you a resident or business owner, or both". The Clerk will email a reminder to Commissioners requesting their final changes to the survey due in one week, and asking for a response regardless if you have nothing to offer.

Reports

Pontius provided a presentation highlighting aspects learned through the Citizen Planner six-week course through MSU Extension. Highlights included work as Planning Commissioners, Master Plans, Zoning, and Housing specifically how zoning changes can benefit. Pontius will forward the presentation to the Clerk to share with Planning Commissioners.

Village Council updates – Suppes stated committee meetings this week recommended to Council to cap the number of Short-Term rentals to the existing STR's currently licensed at 14%.

Good of the order

Hylwa asked why there were not any picnic tables at the Waterwheel Park, clarifying his question is not relative to the pocket park. He further asked about the cross-walk signs. The Village has an MDOT permit and the crosswalk signs will be put out soon. Hylwa inquired about the striping on M-22.

Adjournment

Suppes moved, Smith seconded, CARRIED, to adjourn the meeting. The meeting adjourned at 6:15 p.m. Ayes: 6, No: 0.

Announcements

The next regular Planning Commission meeting date is July 13, 2022, at 5:00 p.m.

Meeting minutes submitted by Shar Fay, Clerk.