



VILLAGE OF SUTTONS BAY
PLANNING COMMISSION MEETING
MINUTES OF MAY 11, 2022

The meeting was called to order at 5:01 p.m. by Chairperson Hetler.

Present: Feringa, Hetler, Ostrowski, Pontius, Smith and Suppes
Absent: Hylwa
Staff present: Fay and Kopriva

Approval of Agenda

Feringa moved, Ostrowski seconded, CARRIED, to approve the Planning Commission agenda as presented. Ayes: 6, No: 0.

Approval of minutes

Suppes moved, Ostrowski seconded, CARRIED, to approve the April 13, 2022, Planning Commission meeting minutes as presented. Ayes: 6, No: 0.

Public Hearing – Accessory Dwelling Units

The public hearing opened at 5:06 p.m. by Chairperson Hetler. Having heard public comments, the public hearing closed at 5:15 p.m.

Following discussion by Commissioners, Ostrowski moved, Suppes seconded, CARRIED, to recommend approval to Village Council of the proposed Zoning Ordinance amendment to Section 9-2 Accessory Dwelling Units to read as follows: Ayes: 5, No: 1.

- A. Size. Accessory dwelling units shall not exceed 800 square feet.
- B. Setbacks, Accessory dwelling units are subject to the setback and height requirements for principal buildings with the applicable zoning district.
- C. (Current language removed)

Pontius moved, Ostrowski seconded, CARRIED, to recommend the Village Council to consider additional language or an amendment for an owner/property manager of short- and long-term rentals to respond within a 30-minutes. Ayes: 5, No: 1.

Smith moved, Ostrowski seconded, CARRIED, to recommend to the Village Council to amend the Short-Term Rental Ordinance to not allow a short-term rental in an ADU with a non-owner-occupied property. Ayes: 6, No: 0.

Public Hearing – Harbor Heights

An application was received from Northporte Development, LLC, for a planned unit development amendment relating to property number 043-821-005-15, located at the north end of N. Duester Park Lane in the Village of Suttons Bay. The application is for the purpose of a major amendment to the North Bluff Addition (Harbor Heights) of the Harbor Club Planned Unit Development (PUD) pursuant to the requirements of Section 8 of the Village of Suttons Bay Zoning Ordinance.

Jeff Cockfield, Engineer for the project, gave a short presentation. The public hearing opened at 5:40 p.m., by Chairperson Hetler. Having heard public comments and responses from the Engineer for the project, the public hearing closed at 6:02 p.m.

Following discussions and review of the Finding of Facts, it was the consensus of Commissioners that the applicant has complied with the following Findings of Facts:

A. The proposed PUD complies with the Intent and all Qualifying Conditions of Sections 8-1 and 8-2 of this Article, respectively.

B. The uses conducted within the proposed PUD, the PUD's impact on the community, and other aspects of the PUD are consistent with the master plan.

C. The proposed PUD shall be designed, constructed, operated, and maintained in a manner harmonious with the character of adjacent property, the surrounding uses of land, the natural environment, and the capacity of public services and facilities affected by the development.

D. The PUD shall not negatively affect the character of the surrounding area.

E. The PUD shall not be hazardous to adjacent property or involve uses, activities, materials, or equipment that will be detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, fumes, or glare.

F. The PUD shall not place demands on public services and facilities in excess of current or anticipated future capacity.

Pontius moved, Suppes seconded, CARRIED, to recommend approval to Village Council on the PUD major amendment for Harbor Heights, 750 Waypoint Circle Drive, Parcel Number 28-043-821-005-15 as it meets the standards for approval in the Zoning Ordinance. Ayes: 6, No: 0.

Ostrowski moved, Suppes seconded, CARRIED, to recommend to Village Council that they confirm the ownership and maintenance of the N. Duester Park Lane, as part of the PUD approval. Ayes: 6. No: 0.

Conditional Rezoning Request – Introduction and Preliminary Review

Kopriva, Planner, stated the applicant has requested to rezone a portion of their property from SFWR to NVR with the conditions that only detached single family dwellings would be constructed with a maximum floor area of 2,400 sq ft, and with a waterfront setback equal to where the neighboring dwellings are located. The NVR district does not have a waterfront

setback requirement since this district is currently on the water. Timothy Figura, Attorney for the applicants, provided additional information. Following discussion and clarification from Figura regarding the application, Feringa moved, Smith seconded, CARRIED, to schedule a public hearing for June 8th, 2022, at 5:00 p.m., for the purpose of approving the Application for a Zoning Map Amendment received by Bahles, to change the Single-Family Waterfront Residential and New Village Residential Zoning to Conditional Rezoning from Single Family Waterfront Residential to New Village Residential. Ayes: 6, No: 0.

Public Comment

William Crackel commented on Short-Term rentals. Rick Andrews commented on the Conditional Rezoning Request.

Reports

Village Council Updates – Suppes encouraged Commissioners to view Village Council updates and action on the Village website.

Good of the Order

Ostrowski stated that there is no striping around the proposed three way stop sign. He further stated his displeasure with how staff did not work with the Northporte Development and the expiration of the project.

Pontius requested to be placed on the next Planning Commission agenda for a Master Planner Citizen presentation.

Hetler thanked the Clerk for keeping everyone on track.

Suppes stated the Village does pay for training and that training is always very good.

Announcements

The next meeting date is June 1, 2022, Special meeting Master Plan kick-off at 6:00 p.m., and June 8, 2022, Planning Commission regular meeting.

The meeting adjourned at 7:02 p.m.

Meeting minutes submitted by Shar Fay, Clerk.