

VILLAGE OF ONEKAMA PLANNING COMMISSION  
MEETING MINUTES – JUNE 4, 2014

The meeting was called to order at 1:15 p.m. by the Chair, Bonnie Miller.

Members present: Bonnie Miller, Sandy Beauvais, Bob Hall Zoning Administrator, and Alice Hendricks, also present were Mary Kuipers, Rudi Milasich, Suzanne Schwing and Mary Reed.

A motion was made by Beauvais, second by Miller to approve the minutes of May 28, 2014 with corrections. Motion carried.

#### Public Comment

Suzanne Schwing had several questions/issues to put before the committee.

1. A definition of "Garage" was not found in the ordinance.

Response: A "garage" is an Accessory Building and so stated in the ordinance.

2. Is there a limit on the number of accessory buildings allowed?

Response: Yes. One unattached accessory building.

Much discussion.

3. There are some lots in the Villager that have 2 to 10 acres. Does the 1 accessory building apply to those lots as well? Schwing feels this is a problem and should be changed. She would like to see more accessory buildings allowed. Maybe it would be better to have 1 large building rather than several small ones.

Response: Discussion followed on the merits of the number of accessory buildings and size as well as the percent of property allowed to be covered in impervious material. It was noted that one purpose for zoning in a community is for it to apply to the majority of property owners, not a select few. Communities cannot and should not zone for the extreme situations e.g. 4 or 5 parcels/lots in the village with 2 to 10 acres. (Spot zoning ?)

4. Definition of Fences was read from the ordinance. Schwing mentioned how this could somehow be a constitutional search and seizure situation and restrictive to the growth and development of the village.

Response: Bob Hall. Many other communities have similar zoning, some to preserve view shed or view of the lake.

Schwing hopes the committee will seriously consider her comments and concerns. She does not want to see the village sued.

#### Public Hearing

Mary Kuipers who acted as secretary at the Public Hearing, said the sequence of the meeting was not followed, and there was discussion as to the process. Minutes of the Public Hearing are attached. Letters from the public were read during the hearing with the exception of one where the author of the letter was in attendance and presented her comments.

Fences are a structure, do they need a permit. It is not listed as a Special Use. Discussion followed.

Fee for Mary Kuipers time work as secretary at the public hearing and preparation of minutes --3 hours: A motion made by Miller, second by Beauvais to pay \$40.00/hr. for a total of \$120.00. Motion carried.

Milasich presented proposed changes to the ordinance discussed previously as well as on items that were presented at the public hearing.

- \*Riparian Set Back. 7002 Changed definition to apply the setback of ten feet to all streams in the Village. OK  
Definition of boundaries regarding the overlay zone. Return to original definition from existing ordinance.
- Riparian Buffer Strip \*1017 C Definition was reworded to apply to the setback of five feet to all streams in the village.  
To apply the 10 feet riparian setback to all streams and five feet Riparian Buffer strip to all streams. OK
- \*1019 A, C and D Fences was redrafted - see below
- \*4002. F, 5002. M and 7003. A.5 Fences added as a permitted use in the Residential District, in the Commercial Residential District and in the Overlay Zone. OK
- 7003 A. 1. D Changes to temporary dock OK
- 7003 A. 4 Changes to temporary dock OK
- 7004 1st line Added or portions of parcels OK
- 7004 D & E From 5 feet to 10 feet OK
- 7005 1<sup>st</sup> line Added "or portions of parcels OK
- 7005 2<sup>nd</sup> line Added "or portions of parcels. OK
- 7005 A. 2. Changed from 5 feet to 10 feet. OK
- 7005 5.d. : Added "dock is authorized by a Federal permit if required by law OK
- 7005 B 1<sup>st</sup> line Added "or any portion of a parcel OK
- 7005 B.2. line 1 Added "such parcel or portion of a parcel" OK
- 7005 B 2 line 4 Strike parcel replace with land OK
- 7005 C line 2 Added "or any portion of a parcel" OK and same for line4.
- \*8402. B.6 Added requirement for issuance of a land use permit that the landowner has signed a statement that the Riparian Buffer Strip is required.
- \*8605.1 Same as 8402.B.6. except for special use permit.
- \*8406.F Added language that a permit would be required where additions of a sidewalk or driveway would violate the Riparian Setback regulations of 1017 C. 1. or would violate the Buffer Strip regulations of Section 1017 C..2.
- \*7005.A.4.a. Added fences as an exception to the prohibition of structures in the Riparian Setback.

\* Items were made as a result of the Public Hearing

1019 Fences- Given that a fence is a structure

1. That a permit is required for any structure hereafter erected or placed on a parcel. Should we add fences as a permitted use in the residential district, in the commercial residential district and the Portage Lake Overlay Zone? Committee agreed. Yes.

OR

Should we list fences as a use associated with a single family dwelling which does not required a permit? NO

OR

List fences as a special use in the commercial residential district? NO

If a permit is required, should we recommend that it be a no-fee permit? YES

Given that the regulations in the Portage Lake Overlay Zone, such as riparian buffer strip and riparian setbacks, superceded conflicting provisions or language in other parts of the Ordinance such as allowing fences in setback areas....should we list fences as allowed in the Riparian Setback? YES and in the Riparian Buffer Strip? NO

Changes will be done for the June 20 meeting.

No Bob Hall June 11.

**Next Meeting: June 20 at 7 P.M.**

Respectfully submitted,

Alice E. Hendricks