

**OFFICIAL PROCEEDINGS
OF THE
PLANNING-CITIZEN ADVISORY COMMISSION
CITY OF LOWELL, MICHIGAN**

For the Regular Meeting of the Planning-Citizen Advisory Commission June 26, 2006 at 7 p.m.

The Meeting was called to order at 7:00 p.m. by Vice Chair LaPonsie and the Clerk called the Roll.

Present: Commissioners Berry, Dimmick, Hall, Mundt, Teelander and Vice Chair LaPonsie.

Absent: Commissioner Grimm and Chairman Jahnke

Also Present: City Manager David Pasquale, City Clerk Betty Morlock, DPW Director Dan DesJarden, Councilmembers Jim Hodges and Jeanne Shores, and Zoning Administrator Brian McCartney.

City Manager Pasquale stated Commissioner Grimm has submitted her letter of resignation.

IT WAS MOVED BY TEELANDER and seconded by HALL to excuse the absences of Commissioner Grimm and Chairman Jahnke.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

IT WAS MOVED BY HALL and seconded by DIMMICK to approve the minutes from the regular meeting of May 22, 2006 as corrected.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #1. **APPROVAL OF AGENDA.**

IT WAS MOVED BY DIMMICK and seconded by HALL to approve the agenda as written.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #2. **PUBLIC HEARING.** – None.

Item #3. **NEW BUSINESS**

A. **SITE PLAN REVIEW**

1. 1425 West Main – Huntington Bank – 134 square foot addition and renovations. Brent Folkert from Sluiter Vandenbosch & Associates Inc. and Scott Veurink from Huntington Bank were present to discuss the proposal for a 134 square foot addition to the lobby area of the building. Five additional parking spaces will be added to the site. A substantial portion of the hard surface area on the site will be removed.

Folkert noted the uses are permitted as well as the zoning. The building meets all of the setback requirements. There will be some additional landscaping, primarily around the building.

City Manager Pasquale noted the zoning analysis provided. He concurred, the zoning requirements have been met.

Commissioner Hall questioned the purpose for the addition. Folkert stated this is an addition for lobby space as well as providing renovations to the teller line within the building. The drive thru will be removed and a new entry way will be created. Commissioner Dimmick questioned if the ATM would be eliminated. Folkert stated the ATM would be moved over to the other side.

Folkert stated the appearance of the addition will be similar to what is currently there.

IT WAS MOVED BY HALL and seconded by BERRY to approve the site plan regarding 1425 West Main – Huntington Bank addition as submitted.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

B. VARIANCES – RECOMMENDATION TO THE ZONING BOARD OF APPEALS.

1. 1270 Sibley – David Roskamp – front yard variance to allow an enclosed porch. David Roskamp proposed to construct a 10' X 28' enclosed porch on to the front of his home. The addition would have two windows on the west side, five windows on the north, and one window and a door on the east side. The doorway would face toward the existing driveway on the east side of the house.

Roskamp stated he spoke with IMS prior to starting the project and was told the enclosed porch would be allowed. However, when he applied for a building permit, it was determined a zoning variance would be necessary.

City Manager Pasquale referred to section 4.05B of the Zoning Ordinance, which states porches may project a maximum of 10 feet into the required front yard, if all sides are open, unenclosed and uncovered. However, an enclosed porch requires a front yard setback.

Roskamp noted the covered porches at 260 Valley Vista, 292 Jane Ellen, 1335 Laurie Gail and 1450 Sibley.

Commissioner Berry suggested the addition be placed in the backyard. Roskamp stated a 14' X 14' foot addition was constructed on the back of the home several years ago.

The Commission reviewed the following criteria:

1. That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district. By general consensus, the Commissioners did not believe this was met.
2. That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent a nature as to make reasonably practical the formulation of a general regulation for such conditions or situations. By general consensus, the Commissioners did not believe this was met.
3. That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. By a vote of 5 to 1, the Commissioners did not believe this condition was met.
4. The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood. The Commissioner voted 3 to 3, regarding this condition.
5. The variance will not impair the intent and purpose of this Ordinance. By a vote of 4 to 2, to Commissioners did not believe this criteria was met.
6. That the immediate practical difficulty causing the need for the variance request was not created by any action of the applicant. By a vote of 4 to 2, the Commissioners believed this criteria had been met.

IT WAS MOVED BY HALL and seconded by DIMMICK to recommend to the Zoning Board of Appeals denial of the front yard variance request for an enclosed porch at 1270 Sibley because the variance criteria was not met.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

item #4. **ANY OTHER BUSINESS/ON GOING BUSINESS.**

- A. Review of the Off Street Parking Lighting Section of the Zoning Ordinance – Committee Update. The issue was deferred until the July 24, 2006 meeting.
- B. District regulation for single family dwellings in the R-3 Residential District – verification of 619 High. Vice Chair LaPonsie stated she and Jahnke did not have a chance to meet on this. LaPonsie questioned the verification of 619 High. City Manager Pasquale explained the

owners (Mr. & Mrs. Robert Rogers) were initially interested in a variance. Pasquale understood a decision was made a few months ago that administratively these could be granted because it does meet the R2 requirements and can be marketed as a single family lot. Pasquale stated he could provide a letter to the property owners stating it was acceptable as a single family lot. LaPonsie suggested the ordinance issue be placed on the July 24, 2006 agenda.

- C. Master Plan Update. City Manager Pasquale stated Jim Breuckman will attend the July 24, 2006 Planning Commission meeting. Any further comments regarding the survey form should be provided. A sample survey will be brought to the July meeting.

Commissioner Mundt questioned if City Clerk Morlock had any information regarding how the previous survey was handled. Morlock stated she would look into this.

Mundt asked if Pasquale had reviewed the possibility of receiving funds from the Look Memorial Fund to cover the cost of postage. Pasquale asked if the Commission wanted the survey mailed to every home. Vice Chair LaPonsie questioned if the money would come from the General Fund or if funds were set aside. Pasquale was unsure where the funds would come, if a survey is sent to everyone. Commissioner Hall recalled the last survey was sent to approximately 200 individuals. It was random sampling. Mundt believed the survey was an important part of the Master Plan.

Pasquale believed sending out additional surveys would not increase the accuracy.

- E. Review of 2006 – 2011 Capital Improvements Plan. Vice Chair LaPonsie confirmed the asphalt work done on Main Street was through MDOT. City Manager Pasquale stated this was completed by MDOT through federal funds.

Pasquale noted Gee Drive is near completion. It has been reconstructed from the Creekside Park entrance to 2100 feet west. The City received a federal grant to pay for 80% of the construction cost. The grant is unique in which one can receive a maximum of \$375,000 at one time in construction funds. However, the City needs additional funds in order to complete the project. The City needs to complete another 1900 feet of road to get Gee to Alden Nash. Another grant was applied for through MDOT to complete the road. The funds should be available in 2007 or 2008.

Pasquale stated there are several federally designated roads scheduled for reconstruction starting with Bowes Road. Valley Vista to M21 will eventually be reconstructed with curb and gutter. Once these roads are completed, all roads federally designated will be complete. Work has been done on Grindle, however it is not a federally designed road. Pasquale noted the City is working on changing Grindle to a Major Street status in order to receive more dollars. Gee Drive also needs to be finished. A Local Street needing much work includes Sibley from Valley Vista east to Center. Pasquale stated the biggest problem with Sibley is being poorly drained. Reconstruction of a street involves removing all existing material and rebuilding the base, installing curb and gutter and underground drains and then providing new asphalt. Future needs of such streets would involve a mill and repave over a period of time, adding to the durability of the road.

Pasquale noted the Airport improvements have been approved by the Airport Board and the Parks Capital Improvements have been approved by the Parks and Recreation Commission.

Pasquale noted such improvements will be forwarded to the City Council at the next meeting.

IT WAS MOVED BY HALL and seconded by TEELANDER to recommend the 2006 – 2011 Capital Improvements Plan to the City Council be approved as presented.

YEA: 6. NAY: 0. ABSENT: 2. MOTION CARRIED.

Item #5. **BUILDING INSPECTOR'S REPORT**. No comments were received.

Item #6. **PUBLIC COMMENTS**. No comments were received.

Item #7. **COMMISSIONER COMMENTS**. Commissioner Teelander referred to the Planning Commission tour. The lots near the duplexes on S. Center are overgrown and need to be cut. She also commented on Grand Auto Body. The fenced area needs to be kept closed. This requirement was made during the site plan review. City Manager Pasquale stated a notice can be sent.

Commissioner Hall questioned who owns the site formally known as Third Base. The lot is not attractive and needs to be cleaned up. It was noted Huntington Bank owns the lot.

Commissioner Berry appreciated David Roskamp presenting pictures of other homes in his neighborhood. He questioned if old building permits should be reviewed to find out if other homes are in violation. Hall suggested the ordinance be reviewed. He did not believe it was wise to build a porch without a roof. However, he did believe enclosure of the porch appropriate. Hall felt the ordinance needed to be reviewed. Vice Chair LaPonsie suggested this be added to the July 24, 2006 agenda to determine how to proceed with the issue.

Commissioner Dimmick agreed with Berry and Hall regarding the former gas station. He questioned if the tanks were removed. Pasquale responded yes. Pasquale stated he would check with the building inspector to find out what could be done. Hall suggested the City ask Huntington Bank to clean the lot up.

Commissioner Mundt asked if ice cream trucks were regulated by the City. City Clerk Morlock stated a peddlers permit is required. She noted the Police Department runs a report on the individual. Vice Chair LaPonsie asked if City Attorney Richard Wendt had reviewed the idea of IMS writing up citations or violations. Pasquale was unsure. Wendt is aware that the City is in need of a Civil Infractions Ordinance.

IT WAS MOVED BY DIMMICK to adjourn at 8:03 p.m.

DATE:

APPROVED:

Clark K. Jahnke, Chairman

Betty R. Morlock, City Clerk