

PLANNING COMMISSION

MINUTES

February 19, 2004

I. ROLL CALL

Fred Walstrom	Present
Andrew Bowman	Present
Jack Deegan	Absent
Jeff Ford	Absent
Mary Ellen Hughes	Present
Sheryl McCleery	Present
Pringle Pfeifer	Present
Peter Sears	Present
Sara Smith	Present

Also present were City Planner Larry Nix and City Manager Fred Geuder.

The meeting was called to order by Chairman Fred Walstrom.

II. MINUTES

Motion by Pfeifer, seconded by Bowman, to approve the minutes of January 15, 2004, noting a typographical error at the end of the second paragraph on Page 4, the omission of a “period”, and on Page 4, D., in the third line of the third paragraph, the word “kept” should be deleted. Motion carried to approve the minutes as corrected.

III. PUBLIC COMMENT AND CORRESPONDENCE

None.

IV. NEW AND OLD BUSINESS

- A. Public Hearing—SLU-2004-02—Proposed Home Occupation, Attorney’s Office, Stephen Dart, 659 Pine Street

The City Manager stated that this was a request for a Home Occupation by Mr. Dart to conduct his attorney’s practice.

Steve Dart, the applicant, stated that he would be using his office primarily to make phone calls, and do research and writing, because his practice was for work primarily in the Detroit area. He stated that a client may occasionally need to come to the house. He has been an attorney for about 20 years; he does have a General Practice, but most of his work is corporate law, with an occasional local client.

The City Manager noted correspondence and comment from the following:

1. David Irish—no objection to proposed use.

2. Jeff Ford—no objection, but asks that no additional parking be required, and requested that there be no signage.
3. Alan Dika—proposal is okay, but requests that there be no signage or commercial style lighting.
4. Jack Deegan—was concerned about traffic depending upon the type of practice that took place.

Motion by Smith, seconded by Hughes, to close the Public Hearing. Motion carried.

B. Consideration of SLU-2004-02, Home Occupation, Dart, 659 Pine Street

The applicant answered several questions. Mr. Dart felt that parking already there, a bumpout in the driveway, should be adequate. There will be no new entrance; a client would use the front door.

In response to the suggestion that he not have a sign, Dart noted that the code allows for up to one (1) two square foot, unlighted sign, attached to the principal building. While he may or may not need a sign, he would not want to be prohibited from what is allowed in the code.

The general consensus of the Planning Commissioners was that a sign was not objectionable, given the limitations.

Planner Larry Nix reviewed the Special Land Use criteria, and his opinion was that Dart's proposal was satisfactory in light of the criteria. He also commented that Dart should be able to do what the code allows. If traffic did become a problem, or if the use changed significantly from what was proposed here, the Commission could review its approval.

Motion by Sears, seconded by Hughes, to approve SLU-2004-02, a Home Occupation permit for an attorney's office for Steve Dart at 659 Pine Street, as presented in his application and at the meeting, with the following notations:

- That the proposal has been reviewed pursuant to the Special Land Use criteria
- And that the applicant conform to all the General Restrictions for a home occupation found in the Zoning Code.

Motion carried, 7-0.

C. Bay Bluffs Lighting Proposal

The City Manager reported that the Bay Bluffs project had presented a revised lighting proposal that would utilize a 175 watt, Weque-Style fixture in place of what was originally installed. Planner Larry Nix had reviewed the proposal and was satisfied that it would be acceptable.

The Commission was pleased with this outcome and the revised plan.

D. Zoning Code Discussion—Accessory Buildings

The City Planner reviewed a summary of the discussion to date, including:

- Existing Regulations (in a single chart)
- The Purpose of the proposed Changes
- Identified Issues
- Proposed Regulations
- Sample Sketches under the current regulations

A copy of Nix's presentation is attached.

Some potential issues discussed in the course of the review of proposed regulations were:

- A maximum height of 25' for accessory buildings, but in no case should an accessory building be taller than the principal building.
- The size of all accessory buildings on a property should not exceed 75% of the footprint of the principal building, but in no case shall a person not be permitted to have a 576 square foot (24' x 24') accessory building.
- In a case where guest quarters or a two-story accessory building are requested, it shall be approved as a Special Land Use.

Nix will re-write the proposed regulations, and bring sketches of potential footprints, given the revised regulations.

The Commission also discussed where guest quarters should be permitted. In no case should "guest quarters" be rented out. The general consensus appeared to be that guest quarters be allowed where there were single-family uses, except not in the R-O-S District, which is also commercial. In the R-2 Two-Family District and the TR District, a "guest quarters" could be proposed in an accessory building of a single-family residence, but then that owner would forfeit the right to a two-family unit on that property.

The Commission will discuss Accessory Buildings again in March.

V. MEMBER COMMENT

None.

VI. ADJOURNMENT

There being no further business, the meeting was adjourned. The next meeting is scheduled for Thursday, March 18, 2004.

Frederick W. Geuder, City Manager