

Approved Minutes
Port Sanilac Planning Commission
October 22, 2024 7:00 p.m.
Bark Shanty Community Center
Port Sanilac, MI 48469

Determine Quorum - Quorum achieved

Call to order: Ms. Simon called meeting to order at 7:00 PM

Pledge of Allegiance : Led by John Rogers

Roll Call: Tom Jackson, X, John Rogers, X Jim Sroka, X_Eric Bruss X, Mary Simon X
Council Liaison Ben Hunter: Absent, , Zoning Administrator Larry O'Keefe X

Guests Present: Donna Jackson, Jen Sroka, Mark Janssen

Additions to the Agenda: None

Motion to Approve Agenda: Motion by Rogers, Second by Bruss..Motion Carried

Public Comment: None

Motion to Approve Minutes:

September 24, 2024 Regular Meeting Minutes: Motion by Rogers; Second by Sroka. Motion carried.

Council Liaison Report:

Ben Hunter [could not attend; submitted via email]

“1) North park fence and more parking; I brought that up to the council and it seems like Jim [Sroka] is wanting to discuss all of that more thoroughly with you all about the development there. We also had our insurance agent confirm the playground equipment was fine and we will leave it there for the time being. I'm trying to get our parks and rec [recreation] committee to consider being more infrastructure and long term minded but it is a hard transition.

2) Fence at lighthouse park: We're waiting until the second council meeting in November to discuss results from the [survey and collection of input from other polled groups, e.g., planning commission].

3) Training: From the recommendations sent to us by Katie Higgs, we are going to begin reviewing village and zoning ordinances at our council meetings together as a council so that we can familiarize ourselves with those ordinances. We are also going to consider doing more webinars throughout the year as they are available and work with our schedule.”

Ms. Simon responded to Mr. Hunter that the Village Council needs to prepare a written Training Plan for submission to Katie Higgs to meet RRC guidelines. The plan, including goals and objectives, will then be posted on the Village website.

Zoning Administrator [ZA] Report: Larry O'Keefe, ZA:

Item 1.) Regarding 209 S Lake St. [Janssen property, Mr. Janssen was present at this meeting]

Discussion of the structure is included next:

. Mr. Janssen applied for a land use permit to construct a gazebo for outdoor sitting/entertaining/dining area on October 1, 2024. The permit was denied due to several ordinance violations (see below). Mr. Janssen shared that he did not know that a permit was needed for the structure and stated the builder of the gazebo also did not inform Mr. Janssen that a permit was required and said the gazebo was completed before he filed for a permit.

Ms. Simon confirmed with Mr. Janssen that he didn't file for a permit and acknowledged that a stop order [for the construction] had been issued by the county; he agreed and again confirmed the gazebo was completed prior to receiving the stop order.

The ZA noted on the permit the Zoning Ordinance violations as to why the denial was issued:

1. Article 3, section 3.3.6 defines a Gazebo, as a “see through” structure with no length or width dimension exceeding 15’. The structure that was constructed without a land use permit at 209 S. Lake Street has a solid wall on the north [not see through] and a dimension of 18’ x 14’ [exceeding 15’].

2. Article 3, section 3.3.6 C requires a 50’ front yard setback. Compliance with the setback rule cannot be confirmed by the information provided by the property owner, Mr. Janssen.

[Mr. Janssen stated he would provide additional information that Milletics Survey of Sandusky, Mi., will provide a drawing demonstrating the setback].

3. Article 11, Section 11.1.9A states, “front yards shall be equal to the average depth of existing front yards in the block [zoning area] in which the parcel, 209 S lake, is located. The constructed Gazebo structure exceeds the zoning ordinance for setback line.

4. Article 3. Section 3.3.3 Relation to the main building. “The structure shall not be located closer than 6’ to the main building”. The completed structure in question is located 4.5’ from the main building.

A picture was included to show the constructed structure.

. Ms. Simon informed Mr. Janssen the denial was appropriate. He asked to seek a variance. She directed him to the Zoning Board of Appeals as the Planning Commission does not hear or issue variance requests. Mr. O’Keefe stated that he would be available to meet with Mr. Janssen to provide possible dates for the required ZBA Public Hearing.

ZA - ZONING continued:

Item 2) A land use permit for a pump station at 139 Whitney Drive constructed by Booms Construction, Inc., was approved.

Item 3) 87 North Lake Street: building setback issue is pending

Item 4) 7241 Ontario Street - shed without permit - pending

ZA, Mr. O’keefe also provided information on High Risk Erosion Properties in Port Sanilac and will keep track of the Port Sanilac addresses for future notification

Old Business:

1. Short Term rentals: Ms. Simon stated all Short Term Rental Applications noted last month have been notified of their status. She has been contacted by one of the applicants that was denied due to applying after the “grandfather” period. Ms. Simon noted some of the published dates need to be

reviewed with respect to the grandfather period. No change was agreed upon by members at this time.

New Applications:

25 North Lake St - Approved

7047 Main - Approved

437 South Lake St.-Notified by O'Keefe a permit will not be considered until the property has an occupancy permit from the County. Refund to be issued.

2. Zoning Ordinance Review Items: Zoning amendments proposed in September 2024 were reviewed

#1 and #2 – approved

#3 approved to add definition for “Multi-Family” noting in the definition of duplex, triplex.

#4 and #5 further review needed on R3 dimensions, floor area and lot size

#6 Already approved and updated in ordinance 5/7/24

#7 Already approved and updated in ordinance 5/7/24

#8 General Provision 3.3.2, F2. Further work needed.

#9 Approved

#10. Approved

#11 Suggestions to be reviewed.

Ms. Simon requested members be prepared to make final recommendations next month.

3. RRC: Members agreed to request that the Council apply for the \$12,000 balance the Village has with RRC, which requires a \$3,000 match. This is to be used to hire a consultant to assist with updated PUD language and close some gaps in our Essential Guidelines not yet met. Ms. Simon will present to the Council at their next meeting.

Ms. Simon handed out copies of the Village of Peck Public Participation Plan sent by Ms. Higgs as a guideline for a plan we need to develop for RRC Essential requirements. She asked members to review and be prepared to discuss next month.

4. Planning Commission Vacancy: Two vacancies remain; no applications have been received.

New Business:

1. Public Parking: New parking signs are still needed in the CBD district. Mr. Sroka has visited the public parking lots, and discussed how the Lighthouse Park parking might be increased. He also compiled a list of priorities for bike racks in village locations. The first group of recommended installation sites to be considered by the Village Council, keeping in line with RRC with regard to public parking, will be the Harbor Park, the marina, tennis and basketball courts, and the DNR beach access location. Mr. O'Keefe will present to Governance.

Discussion revealed that owner of Lighthouse Cove, Ms. Fagan, is now advertising the property at 71 S. Lake St, as a wedding venue. A concern, especially during large, and well-attended public summer events, is parking for attendees of weddings and receptions. Mr. O'Keefe will request a new parking plan from Ms. Fagan for wedding/reception events.

2. Master Plan Tracking - Improving the downtown area was high on the list of our MP survey. PC needs to monitor the Village Council's forward movement on the plan. There was discussion on starting with the Dollar Store windows and planters that need attention.

Upcoming Scheduled Meetings:

Regular Planning Commission meeting: November 26th, 7 P.M.

Public Comment: None

Meeting Adjourned: by Chair M S at 8:45 PM

Submitted by: Tom Jackson, Secretary