

Approved Minutes
Port Sanilac Planning Commission
July 28, 2020
Bark Shanty Community Center Gym
Port Sanilac, MI 48469

Meeting Called to Order at 7:34 PM by Chairman Emond

Members Present: B. Batz, E. Bruss, B. Dear, R. Emond, M. Simon, J. Sroka
Council Liaison J. Southard, Zoning Administrator L. O'Keefe
Guests: (6) Marie Willis, Dana Rogers, Sue Balysh, Arthur Schlichting,
Joseph Schlichting, Jeff Smeader

Members Absent: J. English

Additions to the Agenda: None

Agenda: Motion to approve the agenda by Sroka, Second by Bruss; motion carried

Public Comment: Jeff Smeader mentioned that there is an apartment above the Blue Water Inn.

Approve Minutes of June 23 Meeting: motion by Simon to approve the minutes with one correction (add Sroka's name along with Simon's name to Old Business #2), second by Batz; motion carried.

Approve Minutes of July 14 Workshop: motion by Batz, second by Bruss; motion carried

Commission consideration of Special Land Use request for sale of alcohol at 17 S. Ridge St.
Simon made a motion "to approve the Special Lane Use request for the sale of alcohol at 17 S. Ridge St. with conditions"; second by Batz

Sroka suggested putting time limits on hours of operation by asking Marie Willis what hours she intends to be operating.

Dear questioned again whether the Zoning Ordinance allows alcohol to be served on-site in a retail business.

Final Conditions to be met were: Approval by Health Department & Fire Marshall; approval of a liquor license by the State of Michigan; and subject to approval by corporate counsel.

Roll call vote on Special Land Use request and conditions to be met:

Batz _Y_, Bruss _Y_, Dear _Y_, Emond _Y_, Simon _Y_, Sroka _Y_

Council Liaison Report: Bob Batz reappointed to the Planning Commission for a 3 year term.

Zoning Administrator Report:

Land Use Permits: Fence at 404 S. Lake St. (Approved); Porch Roof at 309 S. Lake St. (Approved); Construct a House at 50 Austin St. (Approved); Remodel House and Addition at 437 S. Lake St. (Denied due to High Risk Erosion Zone, needs permit from EAGLE, too close to property line, and setbacks).

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Old Business:

Central Business District (CBD): Simon made a motion “to approve the changes to the Central Business District *boundaries* and *Uses Permitted by Right* that were agreed upon at the Planning Commission’s June meeting and July workshop”; second by Batz; motion passed.

1. Proposed New Boundaries for the Zoning Districts map would be: West boundary – west side of Ridge St. South boundry – north side of Cherry St. North boundry – south side of Ontario St. East boundary – village property north of Main St., and south of Main St. to Cherry St. extend to the water.
2. Uses Permitted by Right Section 13.2.4: Delete the following: Multi-family dwellings; Campgrounds; Stadiums; Churches; Public or community assembly buildings; Schools; Funeral homes; Private airports, aircraft, landing pads or strips

Zoning Ordinance for RV’s: Simon made a motion to approve the proposed new language on the RV Zoning Ordinance agreed upon at the Planning Commission’s June meeting and July workshop”; second by Bruss; motion passed

1. Sroka suggested changing the language in “D” to requiring the RV to be parked in the property owner’s driveway.
2. Proposed changes would be:
 - a. Change the Title of Section 3.32 to: “Temporary Dwellings/Recreational Vehicles”
 - b. Section 3.32.1 Temporary Dwellings – Delete paragraph E
 - c. Add Section 3.32.2 Recreational Vehicles
 - A. The owner of a parcel of land may park or store no more than 3 recreational vehicles upon residential premises, and shall comply with all setback requirements as outlined in these zoning ordinances. For property abutting on Lake Huron, no recreational vehicle shall be parked or stored in the front yard space of the parcel of land or premises.
 - B. A recreational vehicle that is parked or stored by the owner on a parcel of land attached to the primary residence or premises owned or occupied by the same owner, shall not be occupied as a dwelling.
 - C. A recreational vehicle that is not owned by the owner of the parcel of land attached to the primary residence shall not be parked, stored, or occupied upon said parcel of land or premises for more than 14 consecutive days in any 120 day period.
 - D. One recreational vehicle brought by visitors for traveling purposes may be occupied and allowed for 14 CONSECUTIVE days out of a calendar year if the visitors occupying said trailer use the sanitary facilities of the dwelling of the property owner or occupants they are visiting, or make other suitable provisions for sanitary facilities. Such vehicle shall comply with all setback requirements as outlined in these zoning ordinances, and shall not be parked on any easement.

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Minimum floor area for a Duplex: Batz made a motion to change the language of Section 11.1.11 by adding the words "per unit" at the end of paragraph B. 3; second by Bruss; motion passed

Ray Emond will work with Larry O'Keefe on language for a Public Hearing posting for all of these changes plus others that have been on hold, possibly by the August 25 Planning Commission meeting.

New Business:

Site Plan Review of the Harbor Village Commons:

Upon recommendation of the Villages Attorney, Greg Stremers, Emond and O'keefe will encourage the Harbor Village Commons to submit a Planned Unit Development (PUD) permit instead of a Special Land Use permit. With a large project such as this, the PUD will give the village more flexibility in the phases of long range planning and development. They are also recommending that the fee for a PUD permit be the same fee as a Special Land Use permit.

Election of Officers for 2020-2021

Chairman: Simon nominated Ray Emond; second by Dear; motion passed
Vice-Chairman: Batz nominated Mary Simon; second by Bruss; motion passed
Secretary: Simon nominated Bob Dear; second by Batz; motion passed

Next Regular Meeting: Tuesday, August 25, 2020 at 7:00 PM.

Meeting Adjourned: by Chairman Emond at 8:47 PM.

Submitted by: Bob Dear
Secretary

**Public Hearing Approved Minutes
Port Sanilac Planning Commission**

*July 28, 2020 7:00 P.M.
Bark Shanty Community Center Gym
Port Sanilac, MI 48469*

The date, time, place, and purpose of this Public Hearing was Posted and Published in accordance with the Michigan Open Meetings Act (MCL 15.261).

Public Hearing Called to Order at 7:02 by Chairman Emond

Members in Attendance: Batz _x_, Bruss _x_, Dear _x_, Emond _x_, Simon _x_, Sroka _x_ Council Liaison Southard _x_, Zoning Administrator O'Keefe _x_

Members Absent: English

Guests (6): Marie Willis, Dana Rogers, Sue Balysh, Arthur Schlichting, Joseph Schlichting, Jeff Smeader

Purpose: Marie Willis has requested a Special Land Use Permit for the sale of alcohol at her business at 17 S. Ridge St.

Review by Zoning Administrator O'Keefe & Marie Willis

Larry O'Keefe stated that some of the issues to consider are: is it consistent with the Village Master Plan, the effect on adjacent properties, parking, conforming to all state and federal requirements, and that conditions can be set for approval.

Marie Willis stated that she's not trying to compete with the Blue Water Inn or planning to be open until 2:00 AM. She wants to be able to have customers go to the back yard, sit, and have a glass of wine. She would have two bars, one outside and one inside (in case of inclement weather), but only one bar would be open at a time. She would sell beer and wine, and possibly little bottles of liquor where you mix your own drink. She will follow all state and local regulations, and may also have to build or rent restrooms.

Questions by the Planning Commission

Dear referred to Section 13.1.3 of the Zoning Ordinance and asked O'Keefe if a retail business is allowed to sell alcohol for on-site consumption, since it is not listed as a "Permitted Use".

Only bars, taverns, and restaurants are listed as a permitted use for serving alcohol on-site.

Dear asked if the Methodist Church was at least 500 ft. away, and if they had been notified of the public hearing, or if they had sent any correspondence.

Sroka asked how many people would be allowed in the building at a time, and how many employees would be there at any time.

Batz asked for an explanation of the amount of seating inside and outside the store.

Simon asked how often alcohol would be served, seven days a week or just events?

Bruss asked if food would be served as well.

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Emond asked if the village has the right to establish a policy limiting the time for parking in front of these stores or on any street in the village.

Dear asked if there was any correspondence from the businesses on either side of the Remarkables store.

Emond asked if there was a liquor license available.

Sroka asked if there were any apartments above the stores with anyone living in them.

Public Comment:

O'Keefe read an email from Denise M. Cardaris the owner of the corner building on S. Ridge St. & Main St. Her concern was adequate parking to support this request. "If the village has an idea to expand parking then I wouldn't see this to be a concern. If there isn't a plan for additional parking I don't know how we could support this request without issues."

Jeff Smeader commented that there are public parking areas nearby.

Sue Balysh commented on the reason for limited parking in front of these stores, the length of time to park there, and why there is really only one parking space for each store.

Public Hearing Adjourned by Chairman Emond at 7:34 P.M.

Submitted by: Bob Dear
Secretary