

Minutes of the February 13, 2014

Otter Lake Planning Commission

- I. Meeting called to order at 5:00 p.m. by acting Chair Gullekson.

Present: Fran Gullekson Joan Skias Kevin Miller Terry Gill

Absent: Kim Murphy
- II. Minutes from November 5, 2013 meeting were presented. Motion by Skias, support by Miller to accept minutes as presented. Motion carries with all yeas.
- III. Approval of Agenda: Motion by Skias, support by Gill to approve the agenda as amended. Motion carries with all yeas.
- IV. Declaration of Conflict of Interest by Commissioners: No commissioners declared a conflict of interest in the issues before it.
- V. Plan Reviews: None.
- VI. Old Business: Master Land Use Plan Review – As required by Michigan Planning and Zoning Enabling Act, the Planning Commission reviewed the Master Land Use Plan adopted in 2009 and found that the assumptions, principals, goals and policies remain valid and no changes to the plan are required at this time.
- VII. New Business: None.
- VIII. Public Comment:
- IX. Motion by Skias, support by Miller to adjourn meeting at 5:20 p.m.

Minutes of the May 6, 2014

Otter Lake Planning Commission

I. Meeting called to order at 5:03 p.m. by acting Chair Gullekson.

Present: Fran Gullekson Joan Skias Kevin Miller (late) Terry Gill

Absent: Kim Murphy

II. Minutes from February 13, 2014 meeting were presented. Motion by Gill, support by Skias to accept minutes as presented. Motion carries with all yeas.

III. Approval of Agenda: Motion by Skias, support by Gill to approve the agenda as presented. Motion carries with all yeas.

IV. Declaration of Conflict of Interest by Commissioners: Commissioner Gill indicated that he had a request for a zoning permit/plan review for an accessory building on the agenda.

V. Plan Reviews:

Mr. and Mrs. Brian Woodworth, 14459 Washburn Road - New residence and accessory building: Motion by Gill, support by Skias to approve the new residence and accessory building as presented. Yeas – Commissioners Skias, Gill and Gullekson. Nays - None

Mr. Terry Gill, 14181 Washburn Road – New accessory building: Motion by Skias, support by Gullekson to approve the new accessory building as presented. Yeas – Commissioners Skias, Miller and Gullekson. Nays – None. Abstentions – Commissioner Gill

VI. Old Business: None.

VII. New Business:

Election of Officers for 2014: Motion by Gill, support by Skias to table the election of officers until the next regular meeting due to absents of two commissioners. Motion carries with all yeas.

Set Meeting Dates: The following dates were set for the regular scheduled meetings of the Village of Otter Lake Planning Commission (first Tuesday of the month): August 5, 2014, November 4, 2014, February 3, 2015 and May 5, 2015.

VIII. Public Comment: None

IX. Motion by Gill support by Skias to adjourn meeting at 5:25 p.m. Motion carries with all yeas.

Minutes of the August 12, 2014

Otter Lake Planning Commission

I. Meeting called to order at 7:00 p.m. by acting Chair Gullekson.

Present: Fran Gullekson Joan Skias Kevin Miller Terry Gill

Absent: Kim Murphy

II. Minutes from May 6, 2014 meeting were presented. Motion by Skias, support by Gullekson to accept minutes as presented. Motion carries with all yeas.

III. Approval of Agenda: Motion by Gill, support by Skias to approve the agenda as presented. Motion carries with all yeas.

IV. Declaration of Conflict of Interest by Commissioners: None.

V. Plan Reviews:

Mr. and Mrs. Ray Benson, 5988 Cedar Lane – Erection of privacy fence: Motion by Skias, support by Miller to table this plan review to obtain a legal opinion on front yard location for lakeshore properties. Yeas – Commissioners Skias, Miller, Gill and Gullekson. Nays - None

VI. Old Business: Election of officers: Motion by Gill, support by Skias to retain current slate of officers for an additional year. (Chair Murphy, Vice-Chair Gullekson, Secretary Gill) Motion carries with all yeas.

VII. New Business: None.

VIII. Public Comment: None

IX. Motion by Skias support by Miller to adjourn meeting at 7:22 p.m. Motion carries with all yeas.

Minutes of the November 11, 2014

Otter Lake Planning Commission

I. Meeting called to order at 7:06 p.m. by acting Chair Gullekson.

Present: Fran Gullekson Joan Skias Kim Murphy Terry Gill

Absent: Kevin Miller

II. Minutes from August 12, 2014 meeting were presented. Motion by Skias, support by Gullekson to accept minutes as presented. Motion carries with all yeas.

III. Approval of Agenda: Motion by Gill, support by Skias to approve the agenda as presented. Motion carries with all yeas.

IV. Declaration of Conflict of Interest by Commissioners: None.

V. Plan Reviews:

Mr. and Mrs. Ray Benson, 5988 Cedar Lane – Erection of privacy fence: Motion by Skias, support by Gill to untable plan review from August 12, 2014 meeting for further discussion. Motion carries with all yeas.

Legal opinion from attorney Michael Gildner, stating that for riparian lots, the lakeshore lot serves as the “front yard”, was presented.

Commissioner Gullekson stated that this plan review should not be approved based on the following:

Michigan Zoning Guidebook: for Citizens and Local Officials;

- Page 17, “...zoning ordinance is consistent with the master plan.”

Village of Otter Lake Land Use Master Plan;

- Page 1, fourth paragraph.
- Page 22 and 23, General Land Use Goals.
- Page 27, Residential Use, second paragraph.
- Page 28, Residential Use Designations, paragraph B.

Village of Otter Lake Zoning Ordinance;

- Page 1-1, Preamble
- Page 2-9, Lot Lines
- Page 2-15, Front yard
- Page 4-8, paragraphs 1. and E,
- Page 4-14, Section 4.22 Street or Road Frontage.

She further stated that the fence served no purpose but to block their views of the lake. It's location being directly in front of their front porch.

Audience member Ken Gullekson stated that the definition of the front yard for a lake front lot should be added to the zoning ordinance.

Motion by Skias, support by Murphy to table this plan review so that commission members could review in more depth the points raised by Commissioner Gullekson. Motion carries with all yeas.

VI. Old Business: None.

VII. New Business: None.

VIII. Public Comment: None

IX. Motion by Skias support by Murphy to adjourned meeting at 7:46 p.m. Motion carries with all yeas.

Next scheduled Planning Commission meeting is Tuesday, February 3, 2015, beginning at 5:00 p.m.