

**VILLAGE OF LAKEVIEW
PLANNING COMMISSION MINUTES
SEPTEMBER 22, 2021**

Craig Farrell called the Planning Commission Meeting to order at 6:42 P.M.

Members Present: Craig Farrell, Gary Padden, Ed Winter, Chad Lincoln, Emily Griffith and Gail Dolbee.

Members Absent: Dave Lund, Michelle McElhinny.

Also Present: Manager Dood and Melissa King

Guests: Doug Piggott

Griffith moved and Lincoln seconded to approve agenda as presented. Motion carried.

Public Comments: None

Existing Business: Griffith moved and Padden seconded to approve the minutes from August 17th as presented. Motion carried.

Business:

Gail Dolbee was given the Official Oath of Office to perform and discharge the duties of the Lakeview Planning Commission.

Technical Analysis-General Provisions

The purpose of this article is to place provisions that aren't specific to a process like Special Land Use or Zoning Board of Appeals.

The General Exceptions are one of the most common parts of the Ordinance. The idea is to have a set of standards to make it possible for approval to be granted from the administrator without taking it to the ZBA.

Side Yards – This provision would allow a reduced side yard setback based on the ratio of the actual lot width, versus the required lot width. The Lot Coverage is similar to the Side yard provision. The remaining dimensional exceptions are approved as well.

The Uses section has two principal exceptions. One is Essential Services and the other is a Voting Place. Most essential services are in the right of way and are smaller. They generally do not impose any kind of impact on a piece of property. And the provisions in this chapter shall not be construed as to interfere with the temporary use of any property as a Voting Place. These uses do not require zoning approval.

Water Frontage - You treat a lot with water frontage like any other lot. The front yard is the lot adjacent to the road. The yard adjacent to the water is the back yard. From a zoning stand point, it is easier to treat all lots the same. We propose that if you have a piece of property that is on the water the front of your lot is still adjacent to the street, but there will be a limitation of accessory buildings in your back yard that could block a neighbor's view. Language will be provided on this.

Use Per Building or Lot – The Village does not want accessory dwelling units as a way of providing affordable housing. Only one house per lot.

Mechanical Work – Currently our Ordinance says that the resident can work on their own vehicles in their yard. Doug Piggott will look at the current ordinance and then make recommendations for this section.

Frontage on Public Street – It is agreed to not have flag lots. This can cause problems including increasing the density of driveways along a public road.

Water/Sewer Services – We require that a dwelling in the Village limits has to be hooked up to our water and sewer.

Private Roads/Streets – We do not want private streets.

Sidewalks – All dwellings need to build sidewalks except for single family dwellings. The Planning Commission would have authority to waive this ordinance.

Recreational Vehicles – This will be left the same.

Fences/Walls/Barriers – To protect clear vision for vehicles backing up, we will allow a 6’ fence in the front of the yard as long as it is 15’ from the right of way. If you want to put a fence on your lot line you have to have a certified survey verifying your lot line. The good face of a fence needs to face outwards. Standard materials need to be used for fencing.

Lighting – We will require minimum lighting for commercial, office and industrial areas.

Entrance Features – No requirement needed.

Dumpster Enclosures – We feel it is important to have enclosures for dumpsters (other than for 1 and 2 family residences).

Screening for Mechanical Equipment - Yes, we would like to incorporate this into the ordinance.

Façade/Design Standards – We would like to have some provisions put in for façade/design. Doug will bring the ordinance from Flushing to show. We don’t want it to be restrictive but would like some guidance in the ordinance.

Protection of Natural Resources – This requires more research before we place this.

Wellhead Protection – We have this provision already.

Performance Standards – These are requirements that are intended to address things after they happen. It does not matter what was originally approved, if you are violating these standards (noise, toxic gases, heat and glare, vibration, smoke, dust, dirt and ash, or odors) we can force you to stop. We would like to add this for industrial and commercial.

Structure Completion – This needs to be completed within a certain timeframe before the project expires. Typical timeframe is one year.

Dangerous Animals – This is spelled out in our animal ordinance.

Other:

Section 11.13 – No

Section 11.15 – Yes

Section 11.16 – Yes

Section 11.20 – Inoperable Vehicles, we already have in blight ordinance

Section 11.21 – Already addressed

Section 11.26 – Already addressed

Section 11.28 – This is no longer needed

Technical Analysis Nonconformities

Nonconforming Lots of Record – Village policy should specify that if you have two adjacent nonconforming lots that you want to join together to build a structure, than the lot needs to be made one lot. If you have a legal nonconforming lot, just a single lot not adjacent to another, you can build on it provided you meet the setbacks. You also need to meet the minimum square footage.

Nonconforming Structures – Expansion is allowed provided the expansion does not increase the nonconformity. Going forward, a nonconforming structure will be recorded when the administrator comes across it.

In the current ordinance, if a nonconforming structure is destroyed more than 50% it has to be reconstructed. In the new ordinance we will change it to 65%.

Nonconforming Uses – If you have a nonconforming use and want to change it, it needs to be a “less” nonconforming use.

Nonconforming Improvements for Landscaping, Parking, Lighting, and signs, will be taken out of this section and will be addressed in those various articles.

Other:

Repairs with nonconforming structure will be limited.

Any nonconforming rights go with the property not the owner.

Some ordinances stipulate that uses were “by right” when they were established. These now require conditional use approval and are nonconforming until they get the approval.

In some communities where there is a high concentration of nonconforming uses or structures, they have a provision establishing Class A and B conformities. This is not an issue in our community. We don’t feel this is anything we need.

Winter moved and Lincoln seconded to adjourn at 8:18 PM. Motion carried.

Respectfully submitted,

Melissa King
Village Clerk