`

CITY OF LUDINGTON
PLANNING COMMISSION
MINUTES 11/06/06

A meeting of the Ludington Planning Commission was held on November 6, 2006. The meeting was held at the Ludington Municipal Building, 400 S. Harrison St., Ludington, MI and was called to order at 7:00 p.m. by Clay Olmstead, Vice-Chairperson.

ROLL CALL: The roll call showed the following results:
Present, Joyce Usiak, Alan Neushwander, Kaye Holman, Clay Olmstead, Joe Moloney, Bill Loforte and Robert Garrett

Absent: Jerry Ponko, excused and Tom Coleman, excused

Also Present: Recording Secretary, Carol Ann Foote and City Manager, John Shay

AGENDA APPROVAL:
Commissioner Holman made a motion to approve the agenda, seconded by Commissioner Loforte. Motion carried unanimously.

PUBLIC COMMENTS:
No public comments

Close Public Comments

APPROVAL OF MINUTES:
Commissioner Holman made a motion to approve the minutes of the October 2, 2006, seconded by Commissioner Usiak. Motion carried unanimously.

PUBLIC HEARINGS:
Open public hearing:

a. To consider a request from Roger Starr for a special land use for an expansion of a non- conforming structure in order to construct a 12 x 32 addition at the following described property: ADDITION NO. 4 N 60 FT OF LOT 6 BLOCK 144, also known as 411 N. Gaylord Ave.

Christian Cook, 315 Main St., Hart, MI, contractor for the project, represented Mr. Starr. He explained to the commission that the property owners would like to extend the existing plane of the house in order to build a ground floor bedroom. He said that they would be well under the allowable lot percentage. He said that the side yard set back would be five feet with the eave overhang. Commissioner Olmstead asked about the existing garage. Mr. Cook said that the garage would be demoed and a new garage would be constructed that was conforming.

Close public hearing.

The recording secretary reported forty-six notices were sent with one response in favor.

Commissioner Usiak reported that the committee met and recommended that the special land use be approved.

Commissioner Usiak made a motion to approve the special land use for an expansion of a non-conforming structure in order to construct a 12 x 32 addition at 411 N. Gaylord, seconded by Commissioner Loforte. Motion carried unanimously.

To consider a request for a special land use for an expansion of a non-conforming structure in order to construct a 24 x 26 attached garage at the following described property: BEG AT SE COR LOT 8 BLOCK 11 TH N 89D 58M 14S W 139.95 FT ALG S SIDE SD BLK TO SW COR SD LOT 8 TH N 00D 00M 49S E 84.75 FT ALG EAST SIDE ALLEY TH N 89D 47M 55S E 139.91 FT TH S 00D 00M 53S E 85.31 FT TO POB, also known as 802 W. Pere Marquette St.

Angelo Grano, 802 W. Pere Marquette St., explained that the property was non-conforming because it had two houses on 1 ½ lots. His proposal is for a one story attached garage. There will no living area above the garage. Commissioner Usiak commented that many years ago, the second building was considered a home. Commissioner Moloney asked about the garage access. Mr. Grano said that the access would be south to Pere Marequette St. Commissioner Garrett asked if both houses were on the same property description. Mr. Grano said they were. Commissioner Olmstead stated that the property was non-conforming because it had two residences on the same lot and there were side yard setback, rear yard and front yard setback issues.

Close public hearing.

Commissioner Holman said that it was her understanding that a curb cut application would have to be obtained. She asked the recording secretary to explain the circumstances to the original property split. Carol Foote explained that the original property split request was denied by the Zoning Board of Appeals in 2002. An appeal was filed in Circuit Court and a consent judgment was filed. It was understood that two parcels would be created and each of the resulting parcels would contain non-conforming structures and uses. Any future additions, buildings or structures would comply with the provisions of the Zoning Ordinance.

Commissioner Usiak reported that the committee did quite a bit of investigation on the request. Williams and Works was consulted and asked to review the request. The committee recommended the approval of the special land use.

Commissioner Usiak made a motion to approve the request for a special land use for an expansion of a non-conforming structure in order to construct 624 square foot attached garage at 802 W. Pere Marquette St., seconded by Commissioner Neushwander. Motion carried: six yes – one no by Commissioner Holman.

To consider proposed text changes to Ludington Zoning Ordinance #23-00, Day Care Facilities.

Commissioner Holman told the Commissioners that it had come to her attention that the definitions in the proposed text may not conform to the State. Commissioner Holman made a motion to refer the proposed text changes back to the committee, seconded by Commissioner Usiak. Motion carried unanimously.

UNFINISHED BUSINESS:
Comprehensive Plan:
Commissioner Moloney reported that the Building and Licensing Committee tabled the Rental Registration Ordinance for six months. There will be a follow-up meeting at the time. Commissioner Olmstead asked what the concerns were. Commissioner Moloney stated that it was nothing out of the ordinary. He said that he was going to research the criteria for grant money and how formal the Rental Registration program would have to be set up.

Text Changes: M1 and M2:
Commissioner Holman reported that the committee would bring something to the Commission in December.

NEW BUSINESS:
None

SITE PLAN REVIEW REPORT:
None

COMMENTS AND COMMUNICATIONS:
Schooner Pointe: City Manager John Shay said that the City has met with potential developers. At this point, they are waiting for a revised plan to be submitted.

Commissioner Olmstead read a letter from Keith Kolfage requesting a meeting to discuss possible redevelopment of his property at 717 E. Ludington Ave. A meeting has been set with Mr. Kolfage for November 16.

Commissioner Usiak handed out a newspaper article regarding condominiums in Muskegon.

ADJOURNMENT:
Commissioner Holman made a motion to adjourn the meeting at 7:30 p.m., seconded by Commissioner Usiak. Motion carried unanimously.

Respectfully submitted,
Carol Ann Foote, Recording Secretary

_____
Clay Olmstead, Vice-Chairperson