

Village of Bellaire
PLANNING COMMISSION

William Drollinger, Chairman

Commissioners: Dan Bennett, Butch Dewey, Fred Harris, and Don Seman

PLANNING COMMISSION MEETING MINUTES

June 23, 2020

5:00 PM

I. Call to Order: Meeting was called to order at 5:00 PM.

II. Roll Call – Attendance:

Present: Dan Bennett, Butch Dewey, Fred Harris, Don Seman, and Bill Drollinger

Absent: None

Staff Present: Nicole E. Essad, Zoning Administrator

Also Present: Holly Wilson, David G., and Caller 01 (unidentified).

III. Approval of Agenda: The agenda was approved as presented.

Motion by Dewey, seconded by Bennett, to accept the agenda as presented. Motion Passed by unanimous voice vote.

IV. Approval of Minutes: The minutes of the February 4, 2020 meeting were approved as presented.

Motion by Drollinger, seconded by Dewey, to accept the minutes as presented. Motion Passed by unanimous voice vote.

V. Conflict of Interest: None

VI. Public Comment: None

VII. Old Business

- a. Election of Officers:** Chairperson Drollinger asked that all officers were up for election, Chair, Vice Chair and Secretary. Zoning Administrator Essad stated that was correct.

Motion by Bennett, seconded by Harris to re-elect the current officers: Drollinger as Chair, Dewey as Vice-Chair, and Harris as Secretary. Roll Call: Bennett- yes, Harris -yes, Dewey -yes, Drollinger- yes, Seman-yes. Motion Passed.

Commissioner Dewey wanted discussion on the motion. He stated that it was his understanding that Commissioner Bennett was the Village Council President, and he asked if that was going to be approved by the Council. Commissioner Dewey stated that he was not sure if the Council Member who is on the Planning Commission (PC) should be the President or a regular member of the Council. Commissioner Bennett state that he was appointed this the PC before he was President, but he would be more than glad to step back but that has nothing to do with the current motion. He also stated that

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the Council can name another member. Chairperson Drollinger asked if there was any further discussion. There was none. Roll Call vote was taken.

- b. Sign ordinance amendment request:** Chairperson Drollinger introduced Zoning Administrator Essad, and asked her to explain what this request was. Zoning Administrator Essad stated that there should be a report in the packets explaining this request. Zoning Administrator Essad stated that this was on the agenda because there were issues with signs on the Richardi Park fence for the Ice Rink. She went over the previous zoning administrator's notes. Zoning Administrator Essad further stated that when she went over the sign ordinance, she found a few issues that could be clarified, such as definitions for signs and which signs were regulated. She stated that the sign ordinance could be clearer. She asked this Commission to form a work group to start to review the sign ordinance. Zoning Administrator Essad stated that Pro Image Design has reached out to her to review the revised sign ordinance prior to its enactment, and that this service would be free of charge. Chairperson Drollinger stated that the work group is really important because this is the most contested part of the zoning ordinance and it seems that every year there is something on signs that needs to be addressed. He has reached out to some members of the DDA and other business members and he believes that we need to have a work group to discuss what the vision of Bellaire would be. He further stated that in the past the Village liked signs that were small, close to the road, and close to the ground, but as he is getting older and hauling his camper those signs are not easy to read. Chairperson Drollinger also stated that one business has asked to put a sign at the top of their structure, which would have been bricked in, and they cannot because it is not allowed under the Zoning Ordinance. Commissioner Dewey stated that a work group would be a great idea. He also stated that he had attended a video presentation on signs, that featured Boyne City. Commissioner Dewey stated that he spoke with the city manager, who said the secret to why the signs are so successful is a really good sign ordinance. Commissioner Hoyt stated he had no problems with it. General Discussion was held about who would sit on the work group.

Motion by Drollinger, seconded by Harris, to create a work group for the sign ordinance consisting of Chairperson Drollinger, Dewey, Seman as an alternate, to meet with the DDA and other business owners in the community to discuss sign ordinance issues. Motion Passed by unanimous voice vote.

c. Public Hearing – Zoning Ordinance Amendments:

- i. Section 3.05 Temporary Dwelling Occupancy During Construction and Section 3.08 Recreational Vehicles for Lodging or Camping Purposes:** Chairperson Drollinger opened the public hearing at 5:21 PM. Chairperson Drollinger stated that this Commission would consider these two amendments separately. He stated that the first one this Commission would talk about was Section 3.05 Temporary Dwelling Occupancy During Construction. Chairperson Drollinger stated that currently the Zoning Ordinance does not allow a person to stay in their driveway in an RV as temporary housing during the repair period. Chairperson Drollinger also stated that for Section 3.08 Recreational Vehicles for Lodging or Camping Purposes, when you have a family member that is ill and they need someone to assist them with rehabilitation and/or end of life situations, the current Zoning Ordinance does not support

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that. The changes reflect these needs. Zoning Administrator Essad clarified that language was being added to Section 3.08 to allow RVs to be located and occupied on a property with a dwelling unit without a zoning permit subject to three requirements. If the requirements are met then there is no zoning permit required, otherwise there is a permit required. Chairperson Drollinger asked if anyone had questions or concerns. There was none. He then asked if anyone wanted to add anything to it or take anything away. No one stated that they wanted to add or remove anything. Chairperson Drollinger opened the public hearing for public comment. There was none. Chairperson Drollinger closed the public hearing at 5:24 PM. Chairperson Drollinger opened discussion for the two amendments. He then entertained a motion to recommend to Council to accept these two amendments.

Motion by Seman, seconded by Dewey to recommend to Council that it adopt the two zoning ordinance amendments (Section 3.05 B and Section 3.08) as presented. Roll Call: Seman: Yes, Dewey: Yes, Bennett: Yes, Drollinger: Yes, Harris: Yes. Motion Passed.

VIII. New Business

- a. **Wilson Chickens/Goats:** Chairperson Drollinger introduced Holly Wilson and asked her to explain her request. Ms. Wilson stated that she owns the Bellaire Bed and Breakfast. She has chickens under the current Chapter 30 license and guests love them. She is requesting more chickens and dwarf goats so her guests can have that experience. She also stated that she knows that people have brought up pot belly pigs, which is why she is requesting hooved animals. She has offered to pay the attorney fees to amend the Code, and she wanted this Commission to consider a special use permit for these requests. Chairperson Drollinger clarified that she is requesting up to 20 chickens, hens only no roosters, and that she does have 2.5 acres of land. He stated that there are very few parcels with that amount of land within the Village. This is a commercial type setting in an R-1 area. Zoning Administrator Essad stated that there are only 3 people with active chicken licenses under the current Chapter 30. Chairperson Drollinger stated that from a law enforcement perspective there have been no complaints about the chickens, except for one family, who have moved out of the area, and they did not know you could not have roosters. It was resolved with very little conflict. Commissioner Harris asked if Ms. Wilson needed approval for the chickens because we already have a chicken licensing process. Zoning Administrator Essad stated that Ms. Wilson has four (4) chicken as allowed under the current Chapter 30, but she is requesting to have more chicken – up to 20- and possibly five (5) miniature hooved animals. Commissioner Harris asked if her request for chickens is more than what is currently allowed. Zoning Administrator Essad stated yes. She further clarified that this Commission needs to decide if this is request should be granted and if so, then how it should be granted, either under Chapter 30 or under the Zoning Ordinance. Zoning Administrator Essad explained different ways this could be allowed, such as a Zoning Ordinance amendment to allow for a special use permit, or just amending Chapter 30 of the Village Code. Chairperson Drollinger recommended that if this Commission allows up to 20 chickens that there be a minimum of one (1) acre, and that it be a special use permit for one (1) year to see how it goes. He noted that some people may have some reservations with having that many chickens in town, but that it is regulated. He noted that the coops have to be inspected yearly. He then stated that if this works out within the first year, then this Commission

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make it apart of the zoning. Commissioner Dewey asked about the miniature hooved animals. It was his understanding that the dwarf goats are about 18 inches tall. Chairperson Drollinger asked to take one request at a time. He stated that having a minimum of one (1) acre will limit who can have more chickens. Also, he stated who needs 20 chickens, a standard family of four (4) probably does not need 20 chickens. He stated that this is an opportunity for see if this is going to work. Commissioner Bennett asked if this has to have a public hearing with the neighbors. Chairperson Drollinger stated that this Commission and Council can ask for input from neighbors. Zoning Administrator Essad asked whether this would be under the Zoning Ordinance or under Chapter 30. Chairperson Drollinger stated that it would be under Chapter 30. Zoning Administrator Essad clarified that Chapter 30 would have to be amended to allow for this special permit for more than four (4) chickens. Commissioner Bennett stated that in light of this discussion he will abstain. Chairperson Drollinger stated that was ok.

Motion by Drollinger, seconded by Harris, to recommend to Council that Chapter 30 be amended to allow for a special permit for up to 20 chickens on a minimum parcel size of one (1) acre for one (1) year, and to ask for neighbors input. Motion Passed. 4-Yes, 0-No. Bennett: Abstains.

Chairperson Drollinger now opened discussion about the hooved animals. Ms. Wilson explained what a dwarf goat was. She stated that they are like pets in a lot of townships. She stated that she would not breed them or use them for their meat. These would be strictly pets. Chairperson Drollinger asked if these animals went inside the home. Ms. Wilson stated that yes, they can be indoor/outdoor pets. Chairperson Drollinger asked if there is a need to have a minimum of two (2) or three (3). Ms. Wilson explained that yes there is a need for at least two (2), otherwise the dwarf goat will become ornery. Chairperson Drollinger asked if anyone had questions or concerns. None were presented. He stated that in the past there have been no farm animals allowed in the Village, but this is a different situation. He suggested looking at rabbits, pigeons and pot belly pigs. He also asked if there was fencing for the dwarf goats. Ms. Wilson stated that yes, there will be a fence. She stated that they do not tend to jump fences so a four (4) or five (5) fence would be all you need. She also suggested that the dwarf goats be disbudded. Chairperson Drollinger asked how much area a dwarf goat needs. Ms. Wilson stated that it is a minimum of 100 square feet per goat. Chairperson Drollinger ask how many dwarf goats Ms. Wilson wanted. She stated that she would like three (3) goats and one (1) pot belly pig. Chairperson Drollinger suggested that we cross the threshold of the dwarf goats first, and not address the pot belly pigs yet. Chairperson Drollinger stated that a public hearing to amend Chapter 30 can be done.

Motion by Drollinger, seconded by Harris, to recommend to Council review having three (3) dwarf goats with a minimum area of 100 square feet per goat under Chapter 30. Motion Passed. 4-Yes, 0-No. Bennett: Abstains.

- b. Fee Schedule:** Chairperson Drollinger stated the current fee schedule is very confusing. He thinks that it can be clearer. He would like permission from this Commission to allow Zoning Administrator Essad and himself to review the fee schedule and come up with a more user friendly one for the public, so that when people look at it they can easily find the fee they need to pay. He has reviewed

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fee schedules from other municipalities. He is not trying to raise fees, but make it easier to understand. It was the consensus of the Commission that this be done.

IX. Correspondence/Reports:

- a. **Zoning Administrator’s Report:** Chairperson Drollinger asked if everyone has a chance to review the written report from the Zoning Administrator. Zoning Administrator Essad added that since the packets were sent out, she issued three (3) more permits – two (2) for enclosed three season porches and one (1) for an addition to a detached garage. Zoning Administrator Essad asked about training for this Commission, and stated that she would like to hold a joint meeting with the Zoning Board of Appeals (ZBA) for training purposes. She has two trainings that she has been looking at but she would like to talk to the attorney to see what he covered last year. Chairperson Drollinger agreed that training is important, and that this Commission work with the ZBA.

- X. **Member/Public Comment:** Chairperson Drollinger asked for any member comments. Commissioner Bennett asked that at the next Council meeting they find a replacement for him on this Committee and the ZBA. There was no public comment.

- XI. **Adjourn:** The meeting was adjourned at 6:00 PM to the call of the Chair.

Minutes compiled by:
Nicole E. Essad, Zoning Administrator & Recording Secretary

Minutes are subject to approval.

Approved: _____
William Drollinger, Chairman

Date: _____