

CITY OF LINDEN
Minutes for Virtual Planning Commission Regular Meeting
Held at 7:00 P.M. on Monday, March 1, 2021

In light of the current Coronavirus (COVID-19) pandemic, the Monday, March 1, 2021, Planning Commission meeting of the City of Linden, has put in place special accommodations for the public and board member attendance via Zoom Meetings or by phone.

CALL TO ORDER

The meeting was called to order at 7:13 p.m. by Chairperson Libby Elliott. The meeting was held virtually (online and by phone). The link was provided in a notice to the public.

ROLL CALL

Present: Libby Elliott (remotely from Linden, MI, Genesee County), Ray Culbert (virtually from Linden, MI, Genesee County), John Hartranft (virtually from Linden, MI), Kathryn Prose (virtually from Linden, MI, Genesee County), Brad Dick (virtually from Linden, MI, Genesee County), Daniel Cusson (virtually from Linden, MI, Genesee County)

Absent: Stephanie Johnson, Joe Crawford, Bill Swor

Others Present: Ellen Glass, City Manager (remotely from Shiawassee County), Adam Young, City Planner (remotely from Wayne County), Kristyn Kanyak, Deputy Clerk (remotely from Genesee County)

MINUTES APPROVAL

Motion by Culbert, second by Hartranft to approve the minutes of the February 11, 2021 Virtual Special Meeting. Roll call. Motion carried 6-0.

AYES: Hartranft, Elliott, Prose, Cusson, Dick, Culbert

NAYS: None.

ABSENT: Johnson, Crawford, Swor

PUBLIC HEARING/SPECIAL PRESENTATION

None.

CITIZEN'S COMMENTS

None.

COMMUNICATIONS

None.

UNFINISHED BUSINESS

(A) PC-03a-21 Discussion of Byram Lake Properties Accessory Building Regulations

Young reviewed: At their October 2020 meeting, the City Zoning Board of Appeals (ZBA) approved a variance allowing a detached accessory building in the front yard of a property with lake frontage on Byram Lake. At the conclusion of the meeting, the ZBA suggested that the Planning Commission be made aware of the request and consider whether any ordinance changes were necessary. Over the past two meetings, the Planning Commission has been considering the need for ordinance revisions. Section 154.061 of the City of Linden Zoning Ordinance outlines regulations for accessory buildings. Specifically, these regulations are applicable to "detached" accessory buildings (not attached to the

principal structure). Subsection A,6 states that “accessory structures shall be erected only in a rear yard.” Based on current zoning ordinance definitions, any yard adjacent to a street is deemed a front yard, and the rear yard is the yard opposite the front yard. The zoning ordinance does not make any exceptions or special rules for yards that are adjacent to a water body.

It is important to note that the City contains another lake – the Mill Pond. There are 42 residential properties in Linden with frontage on the Mill Pond. These properties are either zoned R-1 or R-2 District. These properties differ in character than the Byram Lake fronting properties in that they are generally wider and not as deep. A few of these properties have widths as narrow as 60 feet, but most are at least 80 feet wide or more. Of the 42 properties, it does not appear that any detached accessory buildings are located in the front (street-side) yard. Of those properties with detached accessory buildings, they all appear to be located in the rear (lake-side) yard, in compliance with the current ordinance regulations.

Given the findings above, we believe that it would be appropriate to amend the City of Linden zoning ordinance to allow detached accessory buildings in the front yard for properties with frontage on Byram Lake (not all lakes – only Byram Lake). This would eliminate the non-conforming status of numerous existing Byram Lake fronting properties. It would also eliminate the need for variance requests for new detached accessory buildings in the future. An additional consideration mentioned at the February Planning Commission meeting was to require compatibility in terms of design and appearance with the principal structure. We have added that requirement to the proposed language below:

Section 154.061 Accessory Buildings and Structures

(A) Requirements applicable to accessory buildings and structures within residential districts

(6) Accessory structures shall be erected only in a rear yard. If the lot is a corner lot, accessory structures shall remain behind all building lines adjacent to streets.

Notwithstanding the above, for lots with direct frontage on Byram Lake, accessory structures may be erected in a front yard, provided the structure is compatible in design and appearance with the principal structure as determined by the Zoning Administrator.

We were also asked to look into whether the “front yard exception” language should be written to apply to any lot less than 60 feet in width, as opposed to only applying to lots with Byram Lake frontage. After reviewing GIS maps for the City, we found a number of lots scattered throughout the City that are less than 60 feet in width. These lots were found on Hickory, Tickner, Murphy, Aldrich, Mill, Broad and Bridge Streets. A particular concentration of lots less than 60 feet in width was found along North Bridge Street north of downtown. Allowing these to have front yard accessory structures would therefore be opening the door to have these structures scattered in a haphazard manner throughout the City.

Hartranft and Young discussed the proposed language in regards to placing the authority in the Zoning Administrator and if the decision is appealable. Commissioners commented in support of the proposed amendment language. Young explained the next steps to move forward with setting a public hearing. Hartranft and Young briefly discussed if similar issue has come up in other lake-frontage communities.

Motion by Culbert, second by Dick to hold a public hearing on this particular issue. Roll call. Motion carried 6-0.

AYES: Culbert, Prose, Dick, Elliott, Cusson, Hartranft

NAYS: None.

ABSENT: Swor, Crawford, Johnson

NEW BUSINESS

None.

COMMISSIONER/COMMITTEE REPORTS

Young and Glass provided an update on Beacon and Bridge. Young provided a brief update on Pine Valley Phase Two. Young reviewed two approved administrative site plans for 106 South Bridge Street: Snuggle Sacks and Giving Grace Boutique- Glass provided a description of business and owner's past community involvement; the other approval was for office space-use at 126 North Bridge Street, Balance Life Counseling. Young briefly explained the administrative approval process.

Young discussed the role of the Planning Commission Liaison on the Historic District Commission (HDC), and the appropriateness of voting. Young explained City Staff's efforts in looking into the matter, nothing could be found which spoke for or against it. Dick explained he believed he was the Chair when it was put into place, and explained the liaison was appointed as an informational flow by the Planning Commission to the HDC. Young suggested formalizing the role in writing, and discussed the appointment process with Dick. Hartranft discussed abstention with City Staff.

ADJOURNMENT

Motion by Culbert, second by Hartranft to adjourn the meeting. Roll call. Motion carried 6-0. The meeting was adjourned by Chairperson Elliott at 7:42 p.m.

AYES: Elliott, Culbert, Hartranft, Prose, Dick, Cusson

NAYS: None.

ABSENT: Johnson, Crawford, Swor

Respectfully Submitted,

Kristyn Kanyak, Deputy City Clerk

Approved: _____