

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

PROPOSED AGENDA

**WEDNESDAY, MAY 14, 2025 - 7:00 P.M.
PAGE MEMORIAL BUILDING
839 FOURTH AVENUE
LAKE ODESSA, MI 48849**

1. Call to Order / Roll Call
2. Approval of Agenda
3. Public Comment
Under the Open Meetings Act, any citizen may come forward at this time and make comment on items that appear on the agenda. Comments will be limited to three minutes per person. Anyone who would like to speak shall state his/her name and address for the record. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.
4. Minutes: To approve the meeting minutes from the following Planning Commission meetings:
 - a. Minutes from the regular Planning Commission meeting of January 27, 2025
 - b. Minutes from the special Planning Commission meeting of April 17, 2025
5. Action and Discussion items:
 - a. Special Use Permit – Home Occupation Business Application – 526 Tupper Lake Street
 - b. Master Plan Update
 - c. Review Zoning Ordinance Sec. 36-66
 - d. Review Zoning Ordinance Sec. 36-63 (c) (8)
 - e. Review Zoning Ordinance Sec. 36-134 (3) (b) (4)
6. Board Member Comments
7. Adjournment

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

MINUTES

**SPECIAL MEETING
MONDAY, JANUARY 27, 2025 - 7:00 p.m.
Page Memorial Building
Lake Odessa, Michigan**

Present: Karen Banks, Ben DeJong, Gregg Guetschow, Ken Misiewicz, Meg Wheeler
Absent: Beth Barrone
Staff: Cler/Treasurer Kathy Forman

1. **CALL TO ORDER:** Meeting called to order by Chair Wheeler at 7:00 p.m.
2. **AGENDA:** Motion by Banks, supported by Guetschow, to approve agenda. All ayes; motion carried 5-0.
3. **PUBLIC COMMENT:** None
4. **MINUTES:** Motion by DeJong, supported by Banks, to approve minutes from the following meetings: Regular Planning Commission meeting of November 25, 2024.
All ayes; motion carried 5-0.

5. **ACTION ITEMS:**

a. **Election of Officers:**

Motion by Banks, supported by Guetschow to elect the following officers for 2025:
Meg Wheeler – Chairperson, Ben DeJong – Vice Chairperson, and Karen Banks – Secretary.
All ayes; motion carried 5-0

b. **2025 Planning Commission Meeting Dates and Times:**

Motion by Banks, supported by Misiewicz, to approve the following meeting dates:

Monday	January 27, 2025	7:00 p.m.
Tuesday	March 18, 2025	7:00 p.m.
Wednesday	May 14, 2025	7:00 p.m.
Monday	July 28, 2025	6:00 p.m.
Tuesday	September 16, 2025	7:00 p.m.
Monday	November 24, 2025	7:00 p.m.

All ayes; motion carried 5-0.

c. **General Discussion:**

Manager Guetschow included the DDA By-Laws in the packet for everyone to look over. There are a few areas that may need to be revised.

Work on the Master Plan update is moving forward. Mapping questions are being addressed. We are making good progress and are currently ahead of schedule.

After the Master Plan is complete the next project should be a rewrite of the Zoning Ordinance.

It was suggested that the Village Manager should prepare a Planning Commission Year End Summary and present it to council.

6. **MISCELLANEOUS CORRESPONDENCE:**

None

7. **BOARD MEMBER COMMENTS:**

Banks – None

DeJong – None

Guetschow – None

Misiewicz – None

Wheeler – None

8. **ADJOURNMENT:**

Motion by Banks, supported by DeJong, to adjourn the meeting. All ayes; motion carried 5-0.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Kathy Forman

Village Clerk / Treasurer

**VILLAGE OF LAKE ODESSA
PLANNING COMMISSION**

MINUTES

**SPECIAL MEETING
THURSDAY, APRIL 17, 2025 - 5:30 p.m.
Page Memorial Building
Lake Odessa, Michigan**

Present: Karen Banks, Ben DeJong, Gregg Guetschow, Meg Wheeler
Absent: Beth Barrone, Ken Misiewicz
Staff: Clerk/Treasurer Kathy Forman, Zoning Administrator Jeanne Vandersloot

1. **CALL TO ORDER:** Meeting called to order by Chair Wheeler at 5:38 p.m.
2. **AGENDA:** Motion by DeJong, supported by Banks, to approve agenda. All ayes; motion carried 4-0.
3. **PUBLIC COMMENT:** None
4. **ACTION AND DISCUSSION ITEMS:**

a. Site Plan Review – Phase 2 Stuart Condos – Building 3 New Location

Meg Wheeler began with a discussion about Conflict of Interest and Conflict of Loyalty. She disclosed a close relationship with the builder for the condo project. All members were glad she pointed this out but saw no problem and felt it was ok to continue with the meeting.

Vandersloot reviewed the changes from the original site plan that was approved.

Motion by DeJong, supported by Guetschow to approve the amendments to the previously approved site plan for Building 3 from May 2024: All ayes; motion carried 4-0.

Lee Stuart spoke about Building 3 being the final project for them. Discussion took place regarding the possibility of future development in the village and what it might look like. The village is working on a new Master Plan and this topic will be addressed in the Master Plan when it is complete.

b. Special Use Permit – Home Occupation Business Application – 526 Tupper Lake Street:

The applicant was unable to attend this meeting. This item will be moved to the May 14, 2025 Planning Commission Meeting agenda.

Vandersloot presented an overview of a request she received from Duwayne Dykehouse.

6. **ADJOURNMENT:**

Motion by Banks, supported by Guetschow, to adjourn the meeting. All ayes; motion carried 4-0.
Meeting adjourned at 6:00 p.m.

Respectfully submitted,

Kathy Forman
Village Clerk / Treasurer

MEMO TO LAKE ODESSA PLANNING COMMISSION

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Austin Stansell, 526 Tupper Lake St - Home Occupation Application

4-8-25

This application is from the above applicant and address, which is on the corner of Washington Blvd. He is proposing to use a new accessory building as a barbershop, which is a Type 2 Home Occupation. Also, any home occupation within an accessory building requires a special use as a Type 2. Setbacks will be met, and the property is in the R-1 district. The property has a wide, large driveway for customers and homeowners to park vehicles. The applicant has filled out all the requirements on the application form and submitted a site plan. As the building has already been placed there, he has submitted a zoning application along with the home occupation application.

The ordinance section and standards for review of a type 2 home occupation are as follows. *My comments are in italics after each standard.*

- f. *Type 2 home occupations approved as special uses.* Unless otherwise governed by this ordinance, the following home occupations may be permitted in the R-1, R-2, R-3, and MF Districts if approved by the planning commission as a special use pursuant to the procedures contained in section 36-67:
 - 1. Any home occupation which involves the use of a detached accessory building, or that exceeds the percentage floor area limitations for Type 1 home occupations, or which is carried out by two or more non-resident employees.
 - 2. Gymnastics, dance instruction, martial arts instruction, and similar activities.
 - 3. Bed and breakfast establishments.
 - 4. Veterinary office or clinic.
 - 5. Beauty salons and barber shops.
- e. *Type 2 home occupations - Standards.* When considering any Type 2 home occupation for approval as a special use, the planning commission shall consider and make findings upon the following standards:
 - 1. Whether the home occupation is incidental and secondary to the use of the premises as a dwelling and the likelihood or practicality that it will remain as such over time. *This standard should be met.*
 - 2. Whether the likely effects of the home occupation upon adjacent and nearby lands are within the category and magnitude of the effects resulting from other uses permitted and occurring in the district and other home occupations that are specifically permitted without a special use permit. *This is a more traveled area as Tupper Lake St is a main through street and the driveway to the proposed barbershop is just one driveway south of Tupper Lake St, so the additional traffic may not be that much noticed if they come from the north.*
 - 3. Whether the home occupation will have appreciable adverse effects upon adjacent and nearby lands and the uses thereof. *The use should be quiet with the*

building location. There will be more traffic on the street with customers, it is hard to know if there will be adverse effects, if any.

4. All of the standards of section 36-95(14)b., notwithstanding those limits on the use of detached accessory buildings, floor area, and number of non-resident employees. *See that section below all the Type 2 sections.*
5. Whether the home occupation is contrary to local, state and/or federal law.
- f. *Type 2 home occupations - Conditions of approval.* In approving any Type 2 home occupation special land use, the planning commission may impose restrictions and limitations upon the use, relating, but not limited to, consideration of the following:
 1. The use as located within a dwelling and/or accessory building.
 2. The floor area of the use.
 3. The area, height, bulk, sound prevention and location of any accessory building used for the occupation.
 4. The storage or display of goods, inventory or equipment that may be visible from outside the dwelling or accessory building and the screening thereof.
 5. The storage or use of combustible toxic or hazardous materials on the premises.
 6. Machinery or electrical activity that will interfere with nearby radio or television reception or create noise, vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line.
 7. Motor vehicle and/or pedestrian traffic and its circulation on and off site.
 8. Off-street parking provided, and the location and surfacing and drainage thereof.

The above are optional conditions if needed.

Section 14 b Home Occupations

- b. *Minimum conditions for permitted home occupations.* The following minimum conditions shall apply to all permitted home occupations:
 1. Home occupations involving the use of a detached accessory building or outdoor storage may only be permitted as a special use under the provisions of subsections d., e. and f. contained herein. *The proposed use is in a detached accessory building.*
 2. The use shall be carried out only by the residents of the premises and not more than one other person. *One resident will work at the business.*
 3. The use shall be clearly incidental, subordinate and secondary to the use of the dwelling and premises for residential purposes, and the appearance of the structure shall not be altered in any manner other than with a residential character. The occupation must not be conducted in a manner that will cause the premise to take on a non-residential character either by the use of colors, materials, construction, lighting or by the emission of sounds, vibrations or electromagnetic radiation. *The residents live in the home and the business will be a secondary use of the property by one resident.*

4. On each premises, one sign may be used to identify a home occupation not exceeding three square feet in area, non-illuminated, and mounted flat against the wall of the building. *No sign info has been submitted.*
5. The maximum floor area devoted to the home occupation shall be limited to 30 percent of the gross floor area of the dwelling unit and attached garage above grade combined and up to 50 percent of a basement area. *Not applicable.*
6. There shall be no sale of products or services except as are produced on the premises or those products which may be directly related to and incidental to the home occupation. There shall be no outdoor, on-site storage of materials, equipment, or accessory items and/or display of materials, goods or supplies used in the conduct of the home occupation. No traffic shall be generated from such sales in greater volumes than would normally be expected in a residential neighborhood. Orders placed by mail or telephone or at a sales event off the premises may be filled on the premises. Delivery of purchased items to the buyer is preferred. *You can ask the applicant if he will be selling hair products.*
7. No storage or display shall be visible from outside the dwelling or an attached building. *None is proposed.*
8. No combustible, toxic or hazardous material may be used or stored on the premises, except in a safe manner and in full compliance with all federal, state and other governmental requirements concerning the use, handling, transport, storage and disposal of any such materials. *There should not be any hazardous materials.*
9. There shall be no activity associated with the occupation that will interfere with local radio or television transmission or reception, nor shall there be any noise, vibrations, smoke, dust, odors, heat or glare noticeable at offensive levels at or beyond the property line. *There should not be any of these.*
10. The occupation will cause no appreciably greater motor vehicle or pedestrian traffic than is considered normal for a residential use in the zoning district. *It is a home business so there will be additional traffic from customers coming and going. These two streets have higher than normal traffic due to their nature and location.*
11. There shall be adequate off-street parking spaces of ten feet by 20 feet on site for anticipated and actual business clients or customers. On-street parking, or parking within the street right-of-way in support of the home occupation is prohibited. *The parcel has a large, wide driveway for customer and owner parking.*
12. Deliveries and shipments by commercial vehicles shall be on an occasional or incidental basis. *It is doubtful there will be shipments of anything and if so, very few.*
13. Hours of operation shall be reasonable and customary for the type of home occupation approved and for the zoning district within which the home occupation will exist. *The proposed hours are 9-5 Tuesday through Saturday and most neighboring residents will likely be away at their jobs at those times except Saturday.*

Please see the application, site plan, aerial and this memo for your review.

pd \$150.00
C.C. 3/26/25
KSF



Lake Odessa
Page Memorial Building
839 Fourth Avenue
Lake Odessa, MI 48849

Phone: (616) 374-7110

Fax: (616) 374-0040

website: www.lakeodessa.org

Home Occupation Business Application Special Use Permit

This application must be completed in full and approved by the Planning Commission before beginning any business, construction, excavation or use regulated by the Village of Lake Odessa Zoning Ordinance.

Proposed Business Type

Barbershop

Property Information

Address 526 Tupper Lake St.

Parcel Number 34-101-220-000-260-00

Legal Description (may attach copy)

BarberShop Studio is going in Southwest corner of property

Applicant Information

Name Austin Stansell

Address 526 Tupper Lake St.

City Lake Odessa State MI Zip 48849

Phone Numbers (616) 482-7169 () ()

Property Owner Information (if different from applicant)

Name Gary & Marie Stansell

Address 526 Tupper Lake St.

City Lake Odessa State MI Zip 48849

Phone Numbers (616) 686-0390 (616) 427-6748 ()

Home Occupation Business Application (page 2)

Present Zoning District

Low Density Residential

Present Use of the Property

Residential

Site Plan

Include a scaled site plan showing the dwelling and any existing structures or the proposed location of any new construction or additions. Show where off street parking and size will be located. Sketch your home floor plan and show square footage of area devoted to the home occupation business.

Employees

Number of people working at the home occupation business living at the home 1

Hours of Operation

Describe hours you are open for business Tuesday - Saturday, 9-5

Waste Materials

Describe type of waste materials and disposal methods Paper & hair in trash, and sharps container gets taken to Sparrow Ionia Hospital

Impacts on Area

Describe any anticipated levels of noise, odor, glare, dust, fumes and method of lessening impact

None

Traffic Levels

Describe anticipated customer traffic volumes per day

One client at a time, and an average of 10-20 a day

Other Information

Describe any other additional information that is pertinent to your business proposal

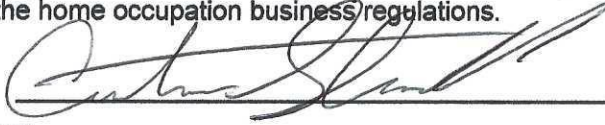
Solo Studio Barbershop

Home Occupation Business Application (page 3)

Affidavit

I certify and affirm that I am either the tenant or the property or building owner and that I agree to conform to applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for representatives to visit this location. I have read and will abide by the home occupation business regulations.

Applicant Signature



Date

3/26/25

Property Owner Signature

Date

Zoning Administrator Use

Received date

Public Hearing date

Application Approved Date

Conditions of Approval

Application Denied Date

Reason for Denial

Planning Commission Chairperson Signature Date

pd \$2500
CC. 3/26/25
KSF



Lake Odessa
Page Memorial Building
839 Fourth Avenue
Lake Odessa, MI 48849

Phone: (616) 374-7110

Fax: (616) 374-0040

website: www.lakeodessa.org

Zoning Permit Application

This application must be completed in full and approved by the Village Zoning Administrator before beginning any construction, excavation or use regulated by the Lake Odessa Zoning Ordinance.

Applicant Information

Name Austin Stansell
Address 526 Tupper Lake St
City Lake Odessa State MI Zip 48849
Phone Numbers (616) 482-7169 () ()

Property Owner Information (if different from applicant)

Name Gary & Marie Stansell
Address 526 Tupper Lake St.
City Lake Odessa State MI Zip 48849
Phone Numbers (616) 685-0390 (616) 427-6742 ()

Contractor Information (if built by licensed contractor)

Name _____
Address _____
City _____ State _____ Zip _____
Phone Numbers () () ()
License Number _____

Proposed Construction Type (check all that apply)

New house _____	Deck _____	Alteration _____
House addition _____	Pool _____	Foundation only _____
Move building _____	Repair/Replacement _____	*Demolition _____ * See bottom of page
Garage /carport _____	Fence _____	Sign _____
Garage/carport addition _____	Storage building _____	Other _____

*\$1.00 per sq. ft. of any bldg. size over 144 sq. ft. must be deposited into escrow at Village Office.

page 1 of 3

Construction Address:

Street 526 Topper Lake St
City Lake Odessa MI Zip 48849
Describe proposed construction 12 x 24 Pre built out building
to be used and modified as barber shop.

Dimensions: (width) 12 ft (length) 24 ft (height) 12 ft (number of floors) 1

Fences: (height) _____ (length) _____ (type) _____

Parcel Number 34-101-220-000-260-00 or attach legal description if number not yet assigned

Zoning District: (circle) R-1 R-2 R-3 MF MH HC CBD LC LI FH

Setback Distances from Lot Lines to Proposed Construction:

Front 114 ft. (from street right of way or centerline of road - circle which one measured from)
Side 8 ft. Side 196 ft. Rear 49 ft.

Affidavit

I certify and affirm that I am the property or building owner or the owner's authorized agent and that I agree to conform to applicable zoning laws of the Village of Lake Odessa. I also certify and affirm that this application is accurate and complete to the best of my knowledge. I hereby give permission for Township representatives to visit this location.

Signature [Signature] Date 3/26/25

If application is denied, applicant may accordingly:

- ☐ Withdraw application
- ☐ Appeal denial to Zoning Board of Appeals*
- ☐ Submit site plan to Planning Commission for Special Use Permit*
- ☐ Submit site plan to Village Council for zone district change*

* Any of these steps require a \$100.00 non-refundable fee for mailing notifications, publications, hearing costs, etc. Additional costs will have to be paid for by the applicant.

* * * * *

Zoning Administrator Use

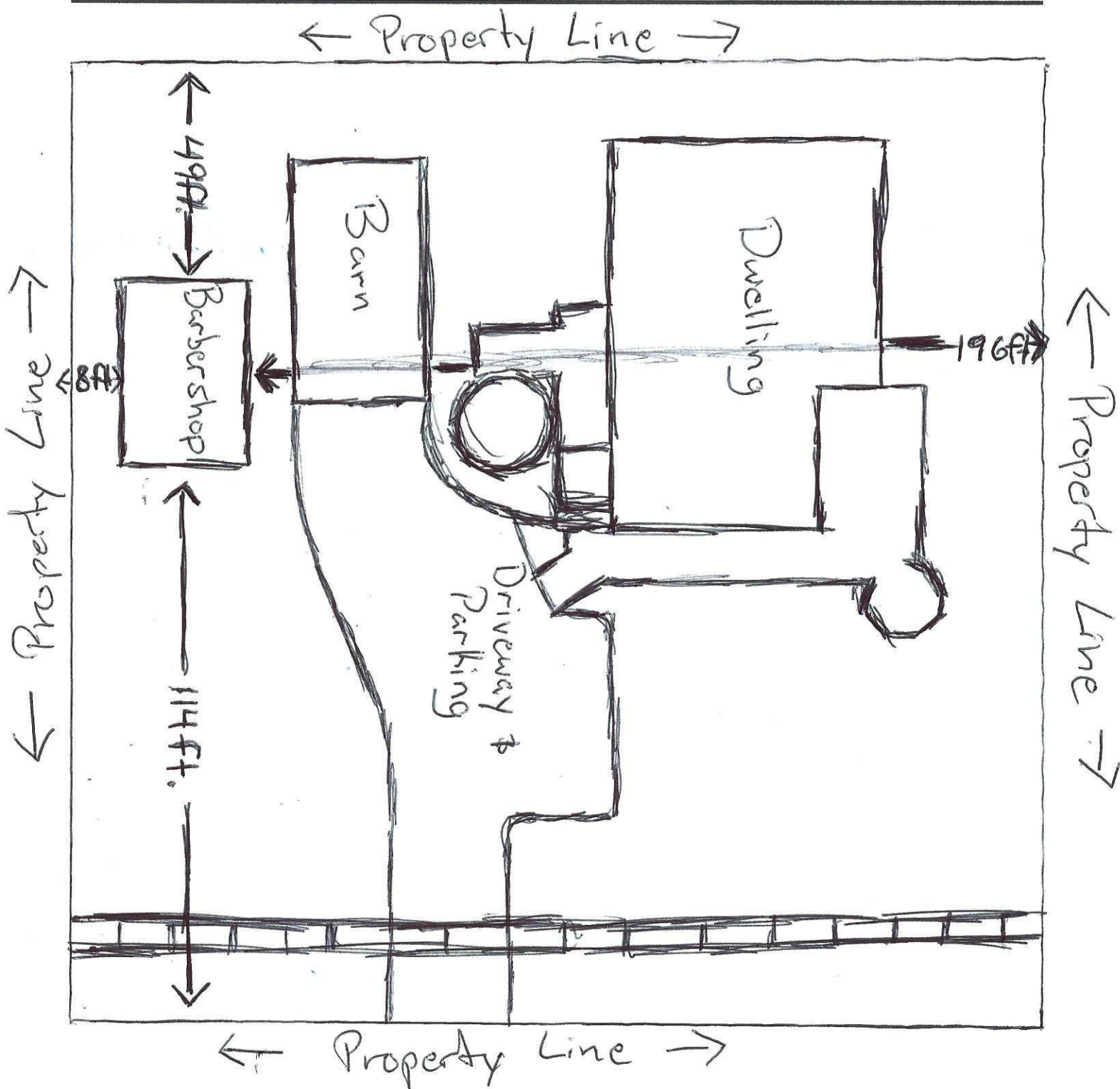
Received Date _____
Application Approved _____
Application Denied _____
Reason for Denial _____

Notes _____

Zoning Administrator Signature _____ Date _____

Site Plan

Use the space below to draw a site plan showing the proposed location of the new construction or additions to any existing structures. Include the location of existing structures and dwellings. Indicate the distances of the proposed construction to your lot lines, road right of way or road centerline, easements, and shorelines. For new accessory structures also include the distance to the dwelling.



3588 W TUPPER LAKE RD LAKE ODES

609 TUPPER LAKE ST LAKE ODES

TUPPER LAKE ST

3587 W TUPPER LAKE RD LAKE ODES

526 TUPPER LAKE ST LAKE ODES

604 TUPPER LAKE ST LAKE ODES

101-051-000-200-00

101-220-000-260-00

101-220-000-010-00

101-220-000-005-00

WASHINGTON BLVD

101-051-000-180-00

101-220-000-255-00

1124 WASHINGTON BLVD LAKE ODES 101-220-000-015-00

72

71

2

3

70

69

4

Sec. 36-66. Site plan review and approval; **amendments and revisions.**

- (a) *Site plan review by zoning administrator.* All applications for zoning permits, special use permits, rezonings and variances, as governed in this chapter, shall first require site plan review by the zoning administrator (or any other body or official designated by the village ~~control~~ **council** to review site plans). Refer to subsection ~~(f)~~ **(j)** of this section regarding **amendments and revisions** to an approved site plan.
- (b) *Site plan approval.* Unless otherwise noted, all requests for zoning permits must have a site plan approval by the zoning administrator. All requests for special use permits must have a site plan reviewed by the zoning administrator, and approved by the village planning commission.
- (c) *Standards for the review of site plans.* The site plan is to be reviewed in order to determine that:
 - (1) The proposed use conforms to the uses permitted in the respective zoning districts;
 - (2) The dimensional arrangement of buildings and structures conforms to the required yards, setbacks and height restrictions of the ordinance, unless waived by variance granted by the zoning board of appeals;
 - (3) The proposed use conforms to all use and design provisions and requirements (if any) as found in this chapter for certain specific uses, unless waived by variance granted by the zoning board appeals;
 - (4) There is a proper relationship between the existing and proposed streets and highways within the vicinity in order to assure the safety and convenience of pedestrian and vehicular traffic;
 - (5) The proposed on-site buildings, structures, and entryways are situated and designed to minimize adverse effects (upon owners and occupants of adjacent and surrounding properties) by providing for adequate design of access/egress, interior/exterior circulation, storm drainage, erosion, grading, lighting and parking, as specified by this chapter or any county or state law;
 - (6) As many natural features of the landscape shall be retained as possible where they can be useful to the development of the site, or where they furnish a barrier or buffer between the project and adjoining properties (used for dissimilar ~~proposes~~ **purposes**) or where they assist in preserving the general safety, health, and appearance of the neighborhood, i.e., controlling erosion or the discharge of storm waters, etc.;
 - (7) Any adverse effects of the proposed developments and activities emanating therefrom upon adjoining residents or owners shall be minimized by appropriate screening, fencing, or landscaping (as provided or required in this chapter);
 - (8) All buildings and structures are accessible to emergency vehicles; and
 - (9) The site plan as approved is consistent with the intent and purpose of zoning which is to promote the public health, safety, and general welfare, to encourage the use of lands in accordance with their character and adaptability; to avoid the overcrowding of population; to lessen congestion on the public roads and streets; to reduce hazards of life and property; and to facilitate the village land use plan.
- (d) *Conditional approval.* As a condition of granting site plan approval, the designated site plan approval body or official for zoning permits and special use permits may require that certain site development measures be taken by the applicant in order to satisfy the review standards set forth in subsections (c)(1) through (c)(9) of this section; and which essentially are designed to protect the general health, safety and welfare, as well as to promote environmental preservation and nuisance abatement. Site development guidelines are provided in this chapter. Site development guidelines include but are not limited to drainage, soil erosion, planning and design to site, fencing, screening strips, landscaping, on-site lighting, signing and off-street parking. Said measures must be incorporated by the applicant onto the site plan and maintained at all times.

-
- (e) *Compliance with performance standards.* Compliance with performance standards for certain uses enumerated in this chapter is required.
- (f) *Final approved site plan on file.* A copy of the final approved site plan (and all revised, final approved site plans) shall be so marked and placed on file as the officially approved document of the applicant along with copies of any and all permits requested for the property in question. **Except for minor amendments and revisions approved pursuant to subsection (j), Approval approval** of revised, final site plans can be made only by the designated body or official who first gave initial approval.
- (g) *Conformity to approved site plan.* Property which is the subject of the site plan approval must be developed in strict compliance with the approved site plan, and with any revisions, amendments or modifications made thereto. If construction and development does not conform with such approved plan, the approval there of shall be revoked by the zoning administrator by written notice of such revocation posted upon the premises involved and mailed to the developer at his last known address. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violation.
- (h) *Performance bond required.* Wherever any physical improvements to the property in question are to be provided by the applicant as a requirement or condition of site plan approval, the applicant or his agent shall post a performance bond. See article V of this chapter for posting of bonds.
- (i) *Site plan specifications.* The information to be submitted as part of the site plan document must include the following:
- (1) A vicinity area map at a convenient scale, showing proximity to any railroads, streams, streets, and street intersections; the location of the nearest public roads on all sides; and all such schools, firehouses, houses of worship, recreational areas, etc.
 - (2) A map of applicant's entire subject property and all surrounding properties at a designated scale; and which shall display:
 - a. The name of all owners of record of adjacent property;
 - b. Existing fire, school and other special district boundaries within 500 feet of the tract, if any;
 - c. Boundaries of property and existing lot lines as shown on the existing plat or tax map;
 - d. Existing public streets, easements, or other reservations of lands;
 - e. Location of all existing structures on the site, as well as those of adjacent properties within 100 feet of subject lot line;
 - f. The proposed location and use of any building or structure;
 - g. The proposed location of any use not requiring a structure, including walkways, benches, fences, and recreational facilities;
 - h. Location and design of all driveways, parking and loading areas, if any;
 - i. Location of all existing and proposed water lines, valves, and hydrants, and all sewer lines, if any;
 - j. Proposed fencing, screening and landscaping; and
 - k. Location of existing watercourses, wooded areas, and rock outcrops, if any.
 - (3) A copy of any covenants or deed restrictions that are intended to cover all or any part of the tract.
 - (4) Where the applicant wishes to develop the project in stages, a site plan indicating total development shall be presented for approval of the entire parcel.

-
- (5) The zoning administrator (for zoning permits) and the planning commission (for special use permits) may require additional data where it is warranted due to special conditions of the site or complexity of the proposed development.

(j) *Site plan amendments and revisions.* Except as provided herein, amendments and revisions to approved site plans require further site plan review and approval by the zoning administrator or any other body or official designated by the village council to review site plans pursuant to the provisions of this section. The zoning administrator may approve minor amendments and revisions to site plans initially approved by a body or other official designated by the village council to review site plans or, in the zoning administrator's discretion, may refer such amendments and revisions to the body or other official who initially approved the site plan being amended or revised. A minor amendment or revision means and includes:

- (1) A change in the size of a residential building by up to 5%, provided that the overall density of units does not increase;
- (2) A change in the square footage of non-residential buildings by up to ten percent (10%) or two thousand (2000) square feet, whichever is less;
- (3) An increase in building or structure height by up to five percent (5%);
- (4) Movement of a building or buildings by less than ten (10) feet;
- (5) Replacement of plantings in the landscape plan with similar types and sizes of vegetation that provide a similar screening effect;
- (6) A change in floor plans that does not alter the character of the use;
- (7) Modification of sign placement that increases setback or a reduction in sign size or number; and
- (8) A change that will preserve natural features of the site without changing the basic site layout.

The zoning administrator shall not approve minor amendments and revisions to site plans if such amendments or revisions would conflict with the provisions of Section 36-65 of this Code.

The zoning administrator shall notify the designated body or other official that gave initial approval of a site plan of all minor amendments or revisions to said plan approved by him or her.

(Ord. No. 119, § 4.5, 8-1993)

State law reference(s)—Site plan, MCL 125.584d.

MEMO TO LAKE ODESSA PLANNING COMMISSION and VILLAGE COUNCIL

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Amending the Dwelling Standards Section

Below is the section regarding dwelling standards for new homes. To require a new home to have a minimum roof pitch of 6:12 is quite restrictive and limits the type of home design. As to the roof overhang, there are 3 required scenarios of either an overhang of not less than 12 inches, or having window sills or a roof drainage system (gutters/downspouts). It seems to indicate that if a home has window sills, any roof overhang is acceptable. These also limit the type of house design.

I have issued zoning permits for several new homes on the recently split lots on Bonanza Rd. At the point that a zoning permit is applied for, the home plans have been chosen and purchased, a mortgage approved, and a builder ready to start construction. All of these new home plans had 5:12 pitch roofs. There would be great dismay and anger if I did not approve the permits, so I did approve them as so close to the limit, plus they are not on the small village lots but on 3 acre parcels at the outer edge of the Village in the country. I asked the County Building Inspector and he said roof pitches depend on the house design but many are 5:12 pitch roofs. Many ranch style homes have 4:12 roofs. I recommend the roof pitch restriction be taken out and the overhang part changed or clarified with a zoning amendment.

Sec. 36-63. General regulations.

(c) *Structures.*

(8) *Dwelling standards.*

- a. All structures used or proposed to be used as a dwelling as defined herein, shall comply with this section, minimum floor area requirements prescribed in zoning district regulations, and other applicable standards of the State of Michigan and United States Department of Housing and Urban Development.
- b. A dwelling shall be firmly attached to a permanent continuous foundation which complies with applicable provisions of the building code enforced by the village.
- c. A new dwelling shall be aesthetically compatible in design and appearance with other residences in the vicinity. A new dwelling shall have a roof overhang of not less than 12 inches on all sides, or alternatively, window sills or roof drainage systems concentrating roof drainage at collection points along the sides of the dwelling. A new dwelling shall have not less than two exterior doors with the second door being in either the rear or side of the dwelling; and shall contain steps connected to said exterior door areas or to porches connected to said door area where a difference in elevation requires the same.
- d. If the dwelling is a mobile home, it shall be installed with the wheels, axles and towing mechanism removed.
- e. A new dwelling shall have a minimum horizontal dimension across any front, side or rear elevation of 24 feet at time of manufacture, placement, or construction.
- f. Floor to ceiling height shall be a minimum of seven and one-half feet.
- g. A new dwelling shall have a minimum roof pitch of 6:12, meaning that the amount of slope of the roofline in terms of angle or other numerical measure shall be six units of vertical rise for 12 units of horizontal shelter.
- h. The aforementioned standards shall not apply to a mobile homes located in a mobile home park licensed by the Michigan Manufactured Home Commission.

MEMO TO LAKE ODESSA PLANNING COMMISSION and VILLAGE COUNCIL

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Amending the Special Use Procedures Section

Below is the zoning ordinance section 36-134 (3) (b) (4) regarding part of the application procedures for special use permits. The section regarding public noticing should be updated to meet the Michigan Zoning Enabling Act noticing requirements. A special use always must have a public hearing and there is a publishing, mailing, and website posting requirement of special use notices at least 15 days out from the hearing date. The current section allows a special use hearing as optional and a 5 to 15 day noticing which is from the old statute. I recommend that this section be amended to meet the current statute.

Sec. 36-134. Application procedures for special use permits by planning commission.

- b. The planning commission:
 - 1. Reviews the site plan according to site plan review standards, as set forth in this chapter. See section 36-66(c).
 - 2. Reviews the proposed special use according to standards for special use permits, as set forth in the ordinance. See section 36-67(1).
 - 3. Reviews for compliance with any and all additional site facility design requirements and standards, as may be required by this chapter.
 - 4. Gives a public notice in a newspaper of general circulation of official receipt of an application for a special use permit which:
 - i. Describes the nature of the special use request;
 - ii. Indicates the property in question;
 - iii. States the time and place where the special use request will be considered;
 - iv. Indicates when and where written comments will be received concerning the request; and
 - v. Indicates that a public hearing by the planning commission on the proposed special use is optional, but may be requested by any property owner or the occupant of any structure located within 300 feet of the boundary of the property being considered for a special use permit.

This notice is also mailed or delivered to property owners and occupants within 300 feet of the property in question. These notices must be made between five and 15 days before the date on which the application is to be considered. An affidavit of mailing or delivery of notice must be maintained.

All public input is considered and evaluated. A summary of the public comments should be retained for the record.