

MINUTES GOLDEN TOWNSHIP PLANNING
COMMISSION NOVEMBER 29,2005

7:30 PM Meeting called to order.

The Pledge of Allegiance was recited by all present.

Roll call was taken. Present: Terry Wiegand, Leo Terryn, Carl Fuerhing, Avery Wilson, Brad Whitney, Bill Kolenda. Absent: Helen Lefler and Steve Marciniak. Also Present: Jake Whelpley, Zoning Administrator.

Wiegand: What we have before us today is a slight change to the Bubba-que, I guess. Jake to you want to fill us in on this.

Whelpley: Yeah, Doug did a very good job on this. He gave you a description of what he wants to do. Basically, first thing is to move that existing restaurant building, reposition it on the log, get it back farther away from the street. Move it over a little bit. He wants to put some parking out front which will get people off the road. And in front of this business rather than parking up and down the road, blocking traffic and everything. Which are all positive things. The other thing is, another request he's making, is there's an existing sign on that property for the business. It's currently a lot larger than what's allowed by the ordinance and it's too close to the road than what's allowed by the ordinance. But it's a non-conforming sign because it's been there. His request is to reduce it in size and raise it up. We have a couple of options here. We can say, well, you gotta leave it the way it is, which I don't think is a good idea from his perspective and safety perspective because it does block the view when people are coming and going. Allowing him to raise it up would alleviate that problem, would make it a lot safer for people coming in and out. The other thing is he wants to reduce it in size from 56 square feet to 48 square feet. Which would make it more conforming than what it is currently and I think due to the circumstances of the location of the sign and everything, I think that you're within your rights and authority to tell him that he can reduce it to that size. It's bigger than what the ordinance allows but the other alternative is to say no you can't, you gotta leave it like it is and I don't think that's a good ploy. So I recommend that you go ahead and let him change it to 48 square feet and raise it up as he's requesting. The other thing is the parking area as he shows right now, the existing parking, I don't know Doug, 2 or 3 spaces where they pull in a park kinda goofy.

Doug Kurzer: 6 spaces real close to the road.

Whelpley: There real close to the road so they pull in and then they back out into traffic. By moving the building back and rearranging the parking, he'll have more parking spaces and the entrance and exit will be better because they will be pulling out into traffic instead of backing out into traffic. If you remember a couple of years ago the previous owner came in a had bought the lot 2 lots to the East, tore the mobile home that was there out and put a parking area in there. And

he went to the ZBA and requested a variance so that parking lot could be closer to road than what the ordinance required and the ZBA granted that variance based on the fact that parking out here is at a premium and any place that we can get parking is what we want. Doug's situation here is kinda the same thing. We want to get people off the street parking and we want to give them a place to get in where there not obstructing traffic and because the variance was granted on that other lot, what the ordinance with the front yard setbacks being related to wants going on to 200ft either way, that would make Doug's parking consistent with wants going on on that other lot and I don't see a problem with you approving that. That's pretty much, in a big nut shell what the request is about. If you have other questions, I'll try to answer them or Doug can.

Wiegand: A couple things that I was looking at here, we know it's a non-conforming lot and a resort-commercial minimum lot size is (inaudible) add on 60ft. But that's the way all of those are out there. In fact, the building on there is 648 square feet and we require the minimum as 720 but looking at chapter 16 on non-conforming uses, extensions or enlargements: Non-conforming use, such as (inaudible) or expansions of an existing structure or the construction or replacement of new structures is not permitted as such an alteration, construction or replacement results in the following: The most important being an increase in the total amount of the building or land area occupied or coded to the non-conforming use. But what we're doing here is only talking about moving that building so we're not adding to anything. So that's really basically, it seems to me, keeps you in the non-conforming use and doesn't force you to bring things up to code, or up to the current zoning. So in reviewing the site plan, what I've seen is that the parking spaces actually follow right along with the zoning ordinance as far as the size requirements and the number, so that's positive there. (Inaudible) show a drain field but no actual septic tank.

Kurzer: There are 2 septic tanks in the drain field. They're fairly new (inaudible) in that general vicinity right up next to the lot line. It's not an old system, I think Hallack put it in. I'm not sure, but my son's friend said he worked on it, but that's the most I know. The drain field is raised.

Fuehring: Where from there could you possibly put the well.

Kurzer: The well is right on the West property line. It's an artesian well.

Commission looks at site map and discusses.

Fuehring: Is there any lights on these signs.

Kurzer: There is lights on both sides.

Fuehring: How high you gonna put it? What's the restriction on height.

Whepley: 15ft. It would become a full sign and the height limit is 15ft. It's gonna be less than that I assume.

Kurzer: I'll take advice, because no matter where I put it someone's gonna pull in there with a 12 foot high truck and you're not gonna be able to see and I want it up high enough so that people

can see underneath it when they pull in with most normal vehicles. Right now they can't, it's 2 foot off the ground and you can't see it. It's gonna be too short for some vehicles no matter what cause that's Silver Lake.

Fuehring: Are we gonna cause a precedent. Right now the signs are just sort of where ever they were. And safety wise I can see exactly what your doing. Are we gonna shoot ourselves in the foot by having a sign up in the air. Are we gonna have a proliferation of signs up in the air then?

Whelpley: Well, any new sign that's erected is gonna have to meet the ordinance requirements. That's why I made that case that this is already a non-conforming sign. It's there, it's been there ever since that was originally a taco joint. It's the same sign, they just keep changing the face for the new businesses. What Doug wants to do, is take that non-conforming sign and make less non-conforming by raising it up and making it safer. He could leave it just the way it is but he doesn't want to do that he wants to try to make it safer.

Terryn: Cause that was a big issue years ago was if you made things more conforming (inaudible) may not be all the way up to (inaudible) Basically everything he's doing on the whole property is more conforming.

Kurzer: Which the property will never be conforming.

Whelpley: No, there's no way it can but we try to eliminate the safety issues and the things that are blatantly non-conforming and try to bring it closer and closer to conformity.

Whitney: Can you bring the sign farther off the road or would it make it not feasible for people to see it?

Kurzer: It would certainly (inaudible) actually even raising it lowers the visibility, it's sitting there for a reason. Mostly because of that big willow to the East. (Inaudible)

Fuehring: Well, it's a lot of money you're gonna spend on doing something like that, I guess we should pat you on the back.

Wiegand: I suppose we'll entertain a motion in regards to accepting this site plan and sign change and a new parking lot.

Motion by Wilson, Second by Fuehring. All in favor.

Fuehring: One of the things the town board at the last meeting, it was brought up, this young lady's minutes and one of the things that... We wanted the minutes printed verbatim. So we have a record of what went on. And if they have to be corrected or edited that's fine. We felt this young lady's duty was to type up the minutes the way they were. Everything that was said by the board. The stuff we can put in there. I think that was what we were planning to do, clean it up a little bit. But within reason, whatever she transcribes would be set aside, a cleaned up version. But we should have a record typed on record somewhere.

LeBlanc: The tapes keep disappearing. We don't have really have a complete system here yet and they get lost fairly easily, so there isn't a verbatim so it might as well be typed that way.

Whelpley: Also, another positive on that is if we get dragged into court if we have verbatim minutes it gives the judge a lot better overview of what happened and he doesn't have to sit and listen to the tape.

LeBlanc: And it's hard knowing what should go in there and what shouldn't go in there so it just works out easier.

Fuehring: There is one item of old business and I don't know who is responsibility it is but at the last town board meeting they asked if the moratorium is to be submitted to them and where that has gotten lost.

Whelpley: It will be at the next township meeting. It's on the agenda for next month.

With no further business, Motion by Wilson, Second by Kolenda to adjourn at 7:42 PM.