

MARBLEHEAD PLANNING COMMISSION MEETING

June 1, 2022

Meeting called to order by Chairman Tim Feller at 6:00 PM. Members answering Roll Call: Members Richard Zembala and Cher Monak, Council Member Marryann Sauvey, Mayor Jackie Bird, and Chairman Tim Feller. Motion made by Mayor Jackie Bird and seconded by Member Cher Monak to approve the April 6, 2022 minutes as presented. Motion carried by unanimous roll call vote.

Public Comments:

Old Business: None

New Business: Public Hearing for Variance for excessive lot coverage at 314 James Street.

Lance Woodworth, the owner of the property at 314 James Street appeared before the Board of Zoning Appeals to ask for relief from the 30% ground cover rule. Mr. Woodworth applied previously for a zoning permit to remodel his house. The Zoning Administrator did not issue the permit because the resulting house violated the setback between the house and accessory garage and also exceeded the 30% allowable lot coverage. Mr. Woodworth appeared informally at the April 6, 2022 meeting to discuss this issue so the Board is familiar with it. Chairman Feller asked Mr. Woodworth if anything has changed since his informal meeting. Mr. Woodworth said nothing has changed. The Board asked Mr. Woodworth some questions. The lot is 6,808 square feet. The allowable lot coverage is 30% which would be 2,042 square feet. The existing home with the new addition and including the accessory garage would be 2,679 square feet. This exceeds the allowable lot coverage by 637 square feet resulting in nearly 40% lot coverage. After discussion, the Board was not in favor of allowing the density of this residential lot to be increased so much. Mr. Woodworth said that he will now remove the garage and the resulting lot coverage will be 2,239 square feet or 32.8 %, instead of the required 30%. This was the Board's recommendation from the April informal meeting. Zoning Administrator Hruska asked if the Board is agreeable to the variance if the garage is removed, when will the garage need to be removed? The Board said the deadline to remove the garage would be 1 year from the date of the house remodel zoning permit. A motion was made by Member Cher Monak and seconded by Mayor Jackie Bird to approve the Woodworth variance #02-22 as submitted, to allow a house addition resulting in a total square feet of 2,239 which would exceed the allowable lot coverage by 197 square feet, and this variance requires the removal of the existing accessory garage as soon as possible but no later than 1 year from the issuance of the Zoning Permit, and further that the variance application and Finding of Fact which includes review of the 7 factors listed in §154.279, are made part of these minutes. Motion carried by unanimous roll call vote.

Informal meeting for Gary Price Amendment. Mr. Price was not present.

Informal meeting for Klaehn setback at corner of Prairie and Ottawa Streets. Bill and Margaret Klaehn own a lot at 722 Prairie. Margaret Klaehn appeared informally before the Board of Zoning Appeals to discuss setbacks for a possible new house. The lot is a corner lot on Prairie and Ottawa Streets. The Klaehns are planning to sell the lot and need to know what the setbacks are for any new house that a new owner would need to adhere to. The lot is approximately 66 feet wide as it fronts on Prairie Street and this would be the depth of the lot from Ottawa Street. By rule, there is a 35 foot house setback requirement from Ottawa Street. Combined with the 10 foot setback at the other side of the lot, this would only leave 21 feet for the width of a house. The Klaehns are seeking relief from the setback rule so that a new buyer would have assurance of building a reasonable size house on that lot. The other 3 setbacks are established by rule (see drawing on file). Margaret supplied a drawing (on file) showing their request for a 16 foot setback from Ottawa Street, and also showing the surrounding neighborhood. They chose this setback number because it is similar to the setbacks of the other houses across Ottawa Street from their lot. This would allow a house width of 40 feet. The Board reviewed the aerials of the neighborhood and agreed this would be a reasonable variance request if it appeared before them.

Informal meeting for Density discussion with Council. The Village Council attended this meeting today to discuss the zoning amendment recommended by the Planning Commission. Council members in attendance were John Starcher, Duane Myers and Lynn App and Council member Marryann Sauvey was already present as the Council representative on the Planning Commission. Council voted at a previous Council Meeting against adopting the amendment as presented. Specifically, the Council was not

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in favor of the increase in lot size and greater setbacks for the R-1 and R-2 Districts. The Multi-family section was acceptable with some language changes to more clearly explain the changes.

Chairman Feller welcomed the Council and outlined some of the history of various cases that have come before the Board of Zoning Appeals and the Planning Commission. Bay Point, for example has had a lot of growth in the last ten years. Mayor Bird pointed out that the new Bay Point Waterview Multi-family development was approved for 121 dwelling units, but by the current density rules, they could have put 165 units in that area. Chairman Feller said the Commission would like to look to the future and better manage the density of dwellings on any particular parcel. Council Member Myers said that Ottawa County wants smaller lots for both the existing and newly created lots. Chairman Feller noted that Marblehead is unique. Council Member Myers said that is true but that the current lot size regulations for Marblehead are very close to the national average. Chairman Feller said the Commission did discuss this and also noted that young people usually do not buy/build new houses. He went on to say that he was uncomfortable with the term affordable housing that Council Member App mentioned in his notes (included in today handouts). Chairman Feller asked Council Member App what does Affordable Housing mean. Council Member App said it is not government housing but is what a young couple can afford. He said he is also concerned that lots zoned for Business can allow undesirable uses. Council Member App suggested in his opinion the Village should have a PUD (Planned Unit Development) so that such a development would be limited to the uses listed in the PUD section. Mayor Bird said that the reason for the proposed Amendments were so that the Village could be proactive instead of reacting to permit requests already appearing before us. Council Member App said that at some time in the future some of the quarry land will be open for development. Chairman Feller said he agrees and that most of the new density regulations will affect newly created lots more than existing lots. Council President John Starcher said he is already uncomfortable in telling people what to do with their land and that all zoning rules are subjective when created. He also said that the proposed regulation make some lots minimum lot sizes 50% bigger than they are now. Council President Starcher said that it is hard to know what rules are best for everyone and not just special interest. Chairman Feller said there are still many large lots in the Village open to development and that the Commission tries to look at each situation in a case by case basis. Council Member App suggested a future Planning Study be considered.

After discussion, it was agreed upon by Council and the Planning Commission that the recommendation for R2 is acceptable for presentation to Council for Approval. However, on R1, the Council would like to see the lot size and setbacks reduced from the original recommendation by the Planning Commission. The feeling was the recommendation was somewhat too much of a change in regards to the current ordinance. Mayor Bird stated the Planning Commission will revisit R1 as requested. Upon the redrafting of R1, the results of the revised draft of R1 will be shared with Council. Also, the Planning Commission will review some suggested language/wording changes by Council as appropriate.

Zoning Administrator Hruska gave his zoning report.

Meeting adjourned at 7:15 PM

I, hereby certify these minutes to be true and accurate


Secretary, Robert Hruska