

City of Charlevoix
Planning Commission Regular Meeting Minutes
Monday, January 13, 2025 - 6:00 PM
Council Chambers, 210 State Street, Charlevoix, MI

A. Call to Order/Pledge of Allegiance

The meeting was called to order at 6:00 p.m. by Chair Muladore followed by the Pledge of Allegiance.

B. Roll Call

Chair: Jennifer Muladore

Members Present: Scott Beatty, Shelley Boehmer, Sherm Chamberlain, Toni Felter, John Kurtz, Maureen Radke

Members Absent: None

Staff Present: Jonathan Scheel, Director of Planning and Zoning

C. Inquiry into Potential Conflicts of Interest

D. Approval of Agenda

Motion by Member Felter, seconded by Member Radke to approve the agenda with the addition of selection of officers and 2025 meeting schedule.

Motion carried by unanimous voice vote.

E. Approval of the Minutes

1. Planning Commission Minutes of December 9, 2024

Motion by Member Boehmer, seconded by Member Beatty to approve the minutes of December 9, 2024 as presented.

Motion carried by unanimous voice vote.

F. Call for Public Comment Not Related to Agenda Items

G. New Business

1. Match on Main Grant Applications

Jonathan Scheel, Director of Planning & Zoning

Director Scheel provided background on the Match on Main Grant Program and stated this was the first year the City accepted applications outside the DDA's boundary.

Maureen Owens, DDA Chair, clarified the State had modified the requirements of this grant. Ms. Owens stated the grant is for \$25,000 and she did not believe it was dividable among applicants with only one entity per City being eligible to receive the funds. Ms. Owens stated the City had received three (3) applications and only two (2) could be forwarded to the State. Ms. Owens stated when the DDA Board went through the scoring process they reviewed the same three (3) applications that the Commission had before them and also reviewed the

criteria using the scoring sheet provided by City staff. Ms. Owens stated Dockside Books was the DDA Board's first recommendation and Happy Troll was their second recommendation.

Chair Muladore stated Stiggs Brewery was the only applicant that showed the amount requested correctly and they also included the full amount of the project which is way beyond all of the other projects. Chair Muladore stated when she went through her review she had Stiggs Brewery and Dockside Books scored higher and both of the applications were thorough, clear, and easy to match up against the score sheet. Stiggs's application was revitalizing a building on the north side that has stood empty for years. Discussion followed regarding specifics of the applications.

Each of the Planning Commission members stated their top two (2) applicants as follows:

- Member Radke: Dockside, Stiggs
- Member Felter: Dockside, Happy Troll
- Member Boehmer: Stiggs, Dockside
- Chair Muladore: Stiggs, Dockside
- Member Chamberlain: Stiggs, Happy Troll
- Member Kurtz: Stiggs, Happy Troll
- Member Beatty: Happy Troll, Dockside

Director Scheel stated the top two (2) applicants were Stiggs Brewery and Dockside Books.

Motion by Member Boehmer, seconded by Member Kurtz to submit Stiggs Brewery and Dockside Books to the State under the Match on Main Grant Program.

Chair Muladore questioned if staff helped the businesses complete their applications. Sarah Van Horn, Chamber President, indicated she did get the information out to the businesses and she had met with eight (8) downtown businesses and two (2) businesses outside of downtown to let them know what was available through the program and what qualified for projects under the grant guidelines.

Motion carried by unanimous voice vote.

H. Public Hearings

1. 153.116 Accessory Buildings Height changes

Chair Muladore opened the public hearing at 6:44 p.m.

Director Scheel stated there was not a regulation for the maximum height of a detached accessory building as it was accidentally dropped out of the ordinance during recent changes and codifications. The proposed changes to the maximum height of detached accessory structures will be 16' and detached Accessory Dwelling Units accessory structures at a maximum height of 20'.

The additional language in bold was added per the Planning Commission's approval of minutes on March 10, 2025:

Director Scheel explained the proposed changes to this section of the Zoning Ordinance including:

- Removed language regarding "if an attached accessory building connected to the principal building by a roofed porch, breezeway or similar covered structure, it shall not exceed 16' in height."
- Removed references to R2A district.
- Rear yard – added "Accessory buildings over 16' in height; 8' from a rear lot line."
- (6) (d) changed to read: "Accessory buildings that store vehicles adjacent to public ROW shall not be closer than 20' from the edge of an alley, sidewalk or public ROW."
- Added (6) (e) "Height: an accessory structure shall not exceed 16' in height unless it is a detached ADU, which shall not exceed 20' in height."

The public hearing was closed at 6:47 p.m.

Motion by Member Kurtz, seconded by Member Chamberlain to send the recommended accessory building height changes (Section 153.116) **as written** to the City Council with a recommendation for approval.

Motion carried by unanimous voice vote.

2. 153.160 Residential Decks Above First Floor

Chair Muladore opened the public hearing at 6:49 p.m.

Director Scheel stated recent site plans including rooftop decks in residential areas of the City include issues that are negatively affecting adjacent residential properties including lack of privacy and light spillage. Specific ordinance language for privacy concerns is being proposed to relieve the concerns of adjacent property owners when there is administrative review of single-family home zoning permits.

The public hearing was closed at 6:52 p.m.

After discussion, the last sentence under Table 153.071 was changed to read: "No decks are allowed above the second floor elevation of the home."

Motion by Member Radke, seconded by Member Felter to send the recommended residential decks above first floor changes with the changes as discussed to the City Council with a recommendation for approval.

Motion carried by unanimous voice vote.

I. Old Business

1. 153.145 Fences and Walls (Deer Management)

Chair Muladore stated they did have several homeowners come to the last meeting to express their concerns about the deer population. Director Scheel stated everyone knew about the overabundance of deer and the City Council recently adopted culling regulations as one step in deer management. City Council made it very clear they would like the Commission to review fencing standards to see if fencing could be a tool to help with the deer problem.

Director Scheel stated the issue to focus on is fencing aesthetics. The Commission needs to

concentrate on the timeframe for allowing such fences, fence materials, and comparable fencing. Mr. Scheel stated there were several homeowners that installed such fences over the last number of years, some have been doing it with his permission, others not. Mr. Scheel stated most of the deer fencing was 7.5' to 8' in height.

Director Scheel stated he researched various companies that sold deer fencing to see what were the most common height and materials and the first column on the attachment was titled Fence Standards which reflected his recommendation. Chair Muladore stated deer can jump a 12' fence and such height would not be practical within the City limits. Chair Muladore described a home in her neighborhood that had a 4' wood fence with the polypropylene material above the wood fence and it appeared to be enough of a deterrent to keep the deer out.

Discussion followed regarding the polypropylene materials being used in conjunction with a wood fence (4' in the front yard). Member Kurtz stated he was not in favor of changing the ordinance at all based on aesthetics. Director Scheel stated the civil infraction fees were \$100 for the first offense, \$300 for the second offense and \$500 for the third offense, and beyond that it goes to court. Member Beatty suggested allowing the fences up to 8' high in an aesthetically pleasing fashion and less intrusive for the neighborhood for two (2) years and after two (2) years re-evaluate it and either let the standards stay or expire.

Member Kurtz stated if the Commission didn't define what works and doesn't work with regard to deer fencing then he didn't think they could allow such fencing. Mr. Kurtz stated the Commission should not change the rules on fencing and if the City Council wants to do it then they certainly can change the rules. Mr. Scheel stated that if they changed the rules they also would need to determine the timeframe for seasonal use of such fencing.

Director Scheel stated he would take this conversation back to the City Council with the pros and cons as this sounds more like a policy that the City should do for two years. Mr. Scheel stated he would bring back the summary of the discussion and proposed policy to the Planning Commission at the next meeting. Member Chamberlain suggested that the regulations could be in a landscape protection ordinance rather than the fences and walls portion of the zoning ordinance.

2. 2025 Priorities and Activities

Director Scheel stated he had made a list of goals and activities that the Commission had discussed the previous month. Mr. Scheel stated he would have the final report for the Redevelopment Ready Program ready next week and expanding residential uses was included in the report. Mr. Scheel stated that 75% of the land adjacent to the City limits was in Charlevoix Township.

After discussion, the tasks for 2025 were prioritized as follows:

1. Review landscape standards
2. Design guidelines residential R-1, R-2 primary structures
3. Review downtown building height ordinance language, incentives for higher housing density downtown, design guidelines for downtown/commercial buildings
4. Downtown signage and wayfinding signs

Ongoing:

1. Items listed under number 3
2. Review opportunities to expand missing middle housing building options
3. Work with school district regarding future use of properties
4. Consider expanding residential uses in industrial zoning districts as part of the Redevelopment Ready process

J. Staff Updates

1. Zoning Administrator Report

Director Scheel stated his report included final numbers for 2024. Mr. Scheel stated there was a public hearing scheduled for February 19, 2025 at Charlevoix Township (1249 Waller Road) for a rezone of 13208 Stover Road from planned residential to marine industrial. Mr. Scheel stated the Commission will have to look at what the potential uses are since the property is next to Ferry Beach Park.

2. Selection of Officers and 2025 Meeting Schedule (item added 01/13/2025)

Nominations for Officers

Motion by Member Radke, seconded by Member Felter to nominate Jennifer Muladore as Chair and Sherm Chamberlain as Vice Chair and both accepted the nominations.

Motion carried by unanimous consensus.

Director Scheel stated the meeting dates for 2025 would be the second Monday of the month at 6:00 p.m. at Council Chambers and any special meeting can be scheduled up to 18 hours ahead of time. The Commission concurred with the annual meeting schedule as presented.

K. Requests For Next Months Agenda or Research Items

Director Scheel stated next month the Commission would see the annual report and the City Manager and Planning Commission Chair had already reviewed the report. Attendance and training needs to be included in the annual report so anyone who had training in the past year needs to get that information to Director Scheel this week.

L. Adjournment by 8:00 p.m. unless extended by a motion

Chair Muladore adjourned the meeting at 8:05 p.m.

Sarah J. Dvoracek/fgm

City Clerk

Jennifer Muladore

Chair