

VILLAGE OF GROSSE POINTE SHORES, A MICHIGAN CITY
MINUTES OF PLANNING COMMISSION MEETING
Tuesday, September 27, 2016

A meeting of the Planning Commission of the Village of Grosse Pointe Shores, A Michigan City was held on Tuesday, September 27, 2016 in the Council Chambers of the Grosse Pointe Shores Municipal Building. The meeting was called to order at 8:02 a.m.

Present: Chairperson Mary Matuja, Commissioners, Gary Gula, Alan Broad, Pat Chasteen, Pat McCarroll, Council Liaison Robert Gesell, City Manager Mark Wollenweber

Absent: Commissioner Gary Mitchell (Excused)

Also Present: Tom Krolczyk, Building Administrator, Dave Scurto, Carlisle-Wortman City Planner

All items pertinent to this meeting are either attached or placed on file.

APPROVAL OF MINUTES: August 23, 2016 regular meeting on motion by McCarroll and seconded by Chasteen were unanimously approved with changes.

PUBLIC COMMENT - None

PLAN REVIEWS, VARIANCE REQUESTS AND HEARINGS –

Landscape Plan Review, 44 Regal Place –John Giesecking, resident of 44 Regal Place explained that he is requesting approval of his landscape plan to include a large anchor in his front yard. He stated that it was a gift brought from Texas believed to be off of an antique shrimp boat. Gesell and Broad mentioned that they would not like to set a precedence of statuary in front yards because it may lead to odd requests. Matuja stated they would like to keep the green space areas wide open. Motion to deny by Broad, seconded by Gula; unanimously denied.

Variance Request, 914 Lake Shore Rd. – Dan & Melissa Dekeyser resident of 914 Lake Shore Rd. explained that they were requesting approval of an in-ground pool in the rear yard set-back. Scurto explained his review and stated that a 15 foot set-back variance would be required. He also mentioned there are a number of pools currently in the rear yard set-back that could have been granted prior to the ordinance. Matuja stated that the intent of the ordinance is to keep resident's lake views unobstructed. Dekeyser explained that his neighbors do not have a problem with his request and that it will not obstruct their view. The pool contractor stated that a previous decking and spa required a variance which was granted in 1997 and are currently asking for 15 feet more which would still leave 90 feet of lake frontage and would not obstruct anyone's view. He also stated that the pool equipment would be on the north side of the house which is currently an empty lot. Matuja stated that the equipment would have to be enclosed if it could not meet the decibel levels. Broad asked if this would set a precedence for other pools to be installed in the rear set-back. Resident Becky Booth stated that she does not have a problem with the pool being constructed in the rear set-back as long as it is at ground level. She also stated that the intent of the ordinance which she was involved in creating to keep the side views open to the lake along with front views. There is still plenty of room between the pool and lake's edge of green space. DeKeyser invited the Commission to his home to view the layout they have currently staked. Chasteen stated that height is very important and there is no height shown for the shower and bar area. The pool contractor stated it is actually lower than the

current deck set-up. Gesell stated that Booth was correct with the openness of views and it does not interfere with those views and meets the spirit of the ordinance. Gula stated that the Building Department should make sure that the grades and drainage of the pool should be met. Motion to approve by Commissioner Gula, seconded by Commissioner McCarroll to approve a variance of 24 feet from the lakefront yard set-back for the construction of a new pool and the refurbishment of the surrounding deck and spa. Approval of the dimensional variance is based upon the following:

1. The Planning Commission finds “a practical difficulty” on this property due to the fact that the existing home was constructed within the lakefront set-back line prior to the enactment of the lakefront set-back ordinance.
2. This is the only practical location to construct the outdoor pool, deck and spa.
3. The outdoor spa and deck were previously granted a dimension variance to be allowed in the lakefront setback area by Council acting as the ZBA at the meeting of June 23, 1997.
4. The pool and deck are to be constructed at the lowest practical grade elevation.
5. The equipment is to be screened by appropriate landscaping and the existing shrub hedge on the north property line.
6. Granting of this variance protects the spirit and intent of preserving the view line of the lake of adjacent properties to the maximum extent possible.
7. Adjacent neighbors signed and support the proposed location.
8. All ordinances, building codes and construction for noise screening will be complied with and maintained.
9. The location of the proposed pool does not protrude closer to the lake than similar accessory structures on other lake properties.
10. The applicants have met the review criteria of section 40-393 of the zoning ordinance.

Approved 7-0-1, Gesell abstained.

Variance Request, 988 Lake Shore Rd. – Mr. & Mrs. Monforton requesting an in-ground pool variance for a rear yard set-back. Scurto explained his review stating that the flag shaped lot makes this request unique. Also they turned in two separate set-back scenarios one being less of an impact than the other. He also stated that he received no neighbor consent signatures. Monforton presented the signatures of his neighbors proving their consent. Booth stated that she also supported the pool. Mark Abanatha handed out pool plans to the Commissioners. He stated that the home was pushed back towards the rear yard set-back because of the flag shape of the lot leaving very little room between the house and the rear yard set-back. Booth stated that the property was split into three parcels in the 1940’s. Broad asked how it would be fenced and if the fence would be allowed to run all the way to the lakefront. Monforton was going to find out if a hard cover would meet the safety approval of the Michigan Residential Code. He also stated that there is still 150 feet between the edge of the pool and the lake. Wollenweber stated that it could be recommended for approval under the same motion as the previous at 914 Lake Shore Rd. Motion by Gula, seconded by McCarroll, to approve a dimension variance of 24.2 feet for the proposed pool and 29.7 feet for the pool deck based upon the following:

1. The Planning Commission finds a “practical difficulty” on this property due to the lot shape caused by the original lot split and uniqueness of this property
2. This is the only practical location for the outdoor pool and deck and its placement has been determined to be the least amount of a variance required.
3. Pool and deck are to be constructed at the lowest practical grade elevation.
4. The equipment is to be screened and located as indicated in the revised plan submitted to the Planning Commission at the meeting held September 27, 2016.
5. Granting of the variance protects the spirit and intent of preserving view lines to the lake for adjacent properties to the maximum extent possible.
6. All ordinances, building codes and construction for noise screening will be complied with and maintained.

7. Adjacent neighbors singed in support of the proposed location.
8. The location of the proposed pool does not protrude closer to the lake than other properties.
9. The applicant has met the review criteria of Section 40-393 of the zoning ordinance.

Approved 7-0-1, Gesell abstained.

COMMUNICATIONS – Wollenweber communicated to the Commissioners amendments to the zoning ordinances would be on the next Planning Commission agenda. He also stated that the Ford House will be moving on their plans for an additional building and would possibly hold joint Planning Commission meeting Grosse Pointe Shores and St. Clair Shores. He also stated that inspections would be conducted by St. Clair Shores contracted inspectors.

OLD BUSINESS – None

NEW BUSINESS – None

NEXT MEETING DATE- TUESDAY, OCTOBER 25, 2016 AT 8:00 A.M. (MEETING DATE CHANGED TO MONDAY, OCTOBER 24, 2016 8 A.M. *DUE TO A PREVIOUSLY SCHEDULED JURY TRIAL).

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:04 a.m. on motion by Commissioner McCarroll and seconded by Commissioner Broad. Unanimous.

Planning Commission
Secretary