

St. James Township Planning Commission Meeting Minutes

Tuesday, October 3, 2023 6:00 pm

St. James Township Hall

Meeting called to order: 6:00 pm Quorum established, Pledge of Allegiance

Roll Call of Commissioners: Present: Lori Taylor-Blitz, Beth Croswhite, Mark Englesman,
Vic Van DeVenter, Cynthia Pryor

Absent Excused: Juli Runberg, Paul Cole

Also present: Shelby Harris, Rick Speck, Bobbi Welke, Ernie Martin

Agenda items added: ETIPP to Joint PC Meetings, Add Bobbi Welke to discussion on CSDA

MOTION to approve Agenda and Additions: Croswhite 2nd: Van DeVenter.

All in favor: Approved

MOTION to approve September 5, 2023 Minutes: Van DeVenter 2nd: Croswhite

All in favor: Approved

NEW BUSINESS:

1. S-1919 Hogarth

Rick explained a permit to clear a space for a house. Soil Erosion Permit required.
Established not part of wetlands.

MOTION to Approve: Englesman 2nd: Van DeVenter

All in favor-

Permit APPROVED

2. S-1922 Fogg

Concern with existing structure – 25 x 63 versus new proposed structure 25 x 77.
Retaining wall is at issue. Army Corp of Engineer ok'd the retaining wall permit. Would
like to see Army Corp of Engineer permit. Using existing septic and well.

Issue with definition of replacement building in non-conforming section of Marine
District 6.12 (12) and Article X Section 10.08 Replacement of Nonconforming Buildings,
Structures and Uses (a)(1). I

If 25' from high water line there is shoreline protection issue that needs to be looked at.

Roll call discussion:

1. Taylor-Blitz no issues

2. Croswhite - Concerned about lake frontage – house and decks are too
close. Concerned about permits for retaining wall. RE: Shoreline Protection
Concerned about footprint of existing structure vs foundation

3. Englesman – Concern about non-conforming existing structure versus locations of foundations.
4. Van DeVenter- Concern about non-conforming existing structure versus locations of foundations
5. Pryor – Concern about non-conforming replacement of existing structure – needs to be same as existing structure 25 x 63 and no higher than existing structure.

Taylor-Blitz entertained a motion to approve. No motion entered.

Pryor made MOTION TO DENY. 2nd: Taylor-Blitz . Roll Call all aye: Taylor-Blitz, Croswhite, Englesman, Van DeVenter, Pryor

Permit DENIED.

Special Meeting to be October, 17th 6:00pm, St. James Hall to address a revised permit

OLD BUSINESS:

1. Critical Dunes Permit Applications Update: Bobbi Welke
Passed out spread sheet of permits currently under development. Need to get answers from DNR and Federal governments concerning Pitcher Thistles. Moving forward as quickly as possible given judicious oversight.
2. Zoning Administration Function Update: Speck Still working on it with Township Supervisors. Answered questions about zoning in area.
3. Master Plan Status – awaiting Approved minutes from Township Boards to include with motions and resolutions to go into Appendix – go to LIA and get final document for publication - Pryor
4. Zoning Ordinance Amendment Process: Pryor
Passed out Zoning information and asked that Commissioners review and provide input as to critical areas that require attention
5. Joint Planning Commission Meetings

ETIPP has moved on and does not require our input at this time - Croswhite

Ordinance work may require joint sessions – Taylor-Blitz

ERCP/ETIPP Energizing Rural Communities Prize – will be giving public forums relative to current use and models and paying volunteers as needed. Following all Master Plan goals and visions. Runberg and Croswhite official liaisons to Rural Team. - Harris

BOARD MEMBER AND PUBLIC COMMENT

Pryor: Point of order on denial of S-1922. Pryor made motion to deny, Taylor-Blitz 2nd and roll call vote all in favor of denial.

Bobbi Welke discussed Peninsula FIBER Network to access to Island

NEXT MEETING DATE: October 17th, 2023

MOTION to Adjourn: Croswite 2nd: Taylor-Blitz All in Favor: ADJOURNED

MEETING ADJOURNED: 7:36 pm Issue with definition of replacement building in non-conforming section of Marine District 6.12 (12) and Article X Section 10.8 Replacement of Nonconforming Buildings, Structures and Uses (a)(1). I

Cynthia Pryor
Recording Secretary

PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE
Adopted April 26, 2004

ownership are to be considered as one lot for the purpose of complying with this zoning ordinance.

SECTION 10.08 – REPLACEMENT OF NONCONFORMING BUILDINGS, STRUCTURES AND USES

- a) A legal nonconforming building or structure may be replaced with the approval of the Planning Commission even if the extent of the nonconformity is increased provided as follows:

1) The replacement building or structure does not exceed the general height, size, or scope of the existing building or structure, and

2) The degree of the nonconformity is not increased (i.e. the distance to the property line is not further decreased when it does not currently meet the required setback).

- b) In addition to the above requirements, an existing residential dwelling, residential accessory building, or retail shop located in the "MR" Marine Related District may be reconstructed with the approval of the Planning Commission subject to the following requirements:

1) The wall faces of all buildings adjacent to the street shall not be increased in width,

2) There shall be no greater impairment of views to the Bay than already exists for buildings and structures on the opposite side of the street and those using the street for driving and walking, and

3) There shall be no increase in the number of buildings, structures, dwelling units, or businesses.

PEAINE AND ST. JAMES TOWNSHIP ZONING ORDINANCE
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- 10) Commercial fishing operations with associated or separate fish markets.
 - 11) Nonconforming dwellings, residential accessory buildings, and retail shops provided there are no changes in the number, size, and configuration of such buildings and structures, other than normal maintenance, and no increases in the number of dwelling units or businesses.
 - 12) Replacement or reconstruction of nonconforming dwellings, residential accessory buildings, and retail shops subject to the following requirements:
 - (a) The wall faces of all buildings adjacent to the Street shall not be increased in width or height. The peak and ridgelines of the roof shall be configured to maintain or increase the view of the Bay.
 - (b) There shall be no greater impairment of views to the Bay than already exists for buildings and structures on the opposite side of the Street and those using the Street for driving and walking.
 - (c) There shall be no increase in the number of buildings, structures, dwelling units, or businesses.
 - 13) Accessory uses customarily incidental to the preceding listed permitted uses, including, but not limited to, off-street parking as required by Article VIII, and signs as regulated by Article VII of this Ordinance.
- c) **Height Regulations** - No new building shall exceed sixteen (16) feet in height.
- d) **Area Regulations** - No building or structure shall hereafter be erected, altered or enlarged unless the following yards and lot areas are provided and maintained in connection with such alteration, construction or enlargement:
- 1) **Front Yard (inland side)** - There shall be a front yard setback of not less than twenty-five (25) feet, provided that where established buildings on adjacent lots vary from this minimum, a new building shall be constructed with a front yard setback of not less than the averaged front yard setbacks for those buildings located on each side of the proposed building and provided that this provision shall not be interpreted to require a front yard setback of more than forty (40) nor less than ten (10) feet.
 - 2) **Side Yard** - There shall be a side yard setback of not less than ten (10) feet on each side of any building or structure.
 - 3) **Rear Yard - (lakeside)** - There shall be a rear yard setback requirement, excluding decks, of not less than twenty-five (25) feet from the ordinary high water elevation.
 - 4) **Lot Area** - There shall be no minimum lot area requirement in this zoning district.