

**CITY OF CHARLEVOIX
PLANNING COMMISSION MEETING MINUTES
Monday, May 14, 2012 - 7:00 p.m.**

210 State Street, City Hall, Council Chambers, Charlevoix, MI

I. Call to Order/Pledge of Allegiance

The meeting was called to order at 7:00 p.m. by Chair John Hess.

II. Roll Call

Chair: John Hess
Members Present: Becky Doan, Judy Clock, John Elzinga, Sherm Chamberlain, Francis Flanders, Toni Felter
Members Absent: Dan Buday, Larry Boog
City Planner: Michael Spencer
City Clerk: Stephanie C. Brown, Deputy Clerk

III. Inquiry Into Potential Conflicts of Interest

None.

IV. Approval of Agenda

Chair Hess stated that if there were no corrections, the agenda would be approved as presented. Planner Spencer suggested that Old Business be completed before New Business. There were no objections; the agenda was approved as revised.

V. Approval of Minutes

Chair Hess stated that if there were no objections, the April 9, 2012 minutes would stand approved. There were no objections; the April 9, 2012 minutes were approved as presented.

VI. Call for Public Comment Not Related to Agenda Item

Chair Hess opened the meeting to public comment at 7:03 p.m. There were no public comments. Chair Hess closed public comment at 7:03 p.m.

VII. Old Business

City Planner Spencer introduced the City's summer intern, Ben Castiglione, to the Commission.

A. Discussion about Platform Court/Fence Issue in Residential Areas

Planner Spencer introduced the item and answered questions from the Commission. A property owner on Dixon wants to install a "platform" tennis court and full-size basketball court. Platform tennis courts are not addressed in the Zoning Ordinance; however, basketball courts have traditionally not been controlled by Planning and Zoning. Planner Spencer also noted that the fencing required for platform tennis is higher than that allowed by the ordinance.

The proposed court is intended for private use. Some concerns are noise, lights, and the appearance of a "cage-like" structure. The proposed court is very similar to a tennis court, but smaller with high fences. It will not be constructed on a platform, but rather on a concrete pad. The proposed fencing may be chain-link or chicken-wire, would be permanent, and is used to keep the ball inside the court area.

The Commission discussed at length concerns about appearance, noise, lighting, and the creation of an attractive nuisance which would compound noise concerns.

Chair Hess opened the item to public comment at 7:20 p.m.

Citizen Jane Hire owns property adjacent to the project. Ms. Hire spoke regarding her concerns on the project. Ms. Hire is concerned that, because the court is a full size court, it will draw many young people to the area increasing the noise level significantly. Additionally, Ms. Hire is concerned that the proposed lighting will shine into her home, and the bedrooms face the court. Ms. Hire is also concerned that young people will congregate at the site when the seasonal property owners are not at home, and there is nothing in place to prevent their gathering. In addition to an unsightly 12' fence, Ms. Hire worries that the basketball court will not be properly built for drainage which will result in flooding or water damage on her property.

Chair Hess closed the item to public comment at 7:35 p.m.

The Commission generally agreed that regulating the basketball court was not possible, since it has not been done in the past; however, several members also expressed concerns about lighting, fence type and height, and drainage issues related to the large cement pad. Planner Spencer noted that to implement a 12' fence would require a zoning variance.

The Commission directed Planner Spencer to share their concerns with the property owner and encourage him to address certain obstacles to his overall plan before continuing the project construction. Specifically, the Commission asked Spencer to make the property owner aware of drainage concerns and the possibility that zoning variance for a 12' fence would be denied by the Zoning Board of Appeals.

VIII. New Business

City Planner Spencer suggested that the second training video, *Planners Moments: Third Places*, be postponed until a later date. The Commission generally agreed.

A. Planners Moments: Regional Place Making

Members watched a training video entitled "Planners Moments: Regional Place Making."

IX. Staff Updates

None.

X. Requests for Next Month's Agenda or Research Items.

None.

XI. Adjournment

Meeting adjourned at 8:10 p.m.

Stephanie C. Brown Deputy City Clerk

John Hess Chair

Carol A. Ochs City Clerk