

**Town of La Pointe Planning and Zoning  
Town Plan Commission  
Regular Monthly Meeting Minutes**

**Wednesday, April 17<sup>th</sup>, 2019**

**4:30 PM**

**La Pointe Town Hall**

Members Present: Suellen Soucek, Chair; Mike Starck, Vice Chair; Jim Peters; Paul Wilharm and Samantha Follis

Town Staff Present: Ric Gillman, ZA

Public Present: John Soucek and Lauren Schuppe. Paul Brummer arrived at the time of adjournment

**I. Call to Order/Roll Call**

Chair Soucek calls the meeting to order @ 4:31 PM. Roll call reflects members present identified above.

**II. Public Comment**

ZA and Chair welcome Samantha Follis to the Town Plan Commission.

Chair moves to address V.c. below to accommodate Lauren Schuppe regarding the Farmhouse, Peters seconds, 5 Ayes motion carries.

**V.c (from below)**

The Farmhouse is wishing to install a fire escape from the upper floor of the existing building. This is a nonconforming structure and does not meet defined Zoning setbacks. Specifically, the side yard setback is 10 feet. There is an extension of the existing deck which measures 4'3" feet from the north property line. The western most corner of the building is 6'10" from said line. A fire escape requires a 40" minimum. The building is not parallel to this property line and measurement reveals it meanders to the south. A measurement made just beyond the midpoint of the building equaled 8'4". If the TPC interprets that the 4'3" is the nonconformity line the Farmhouse could design a fire escape of 40" beginning at the point where the building measures 7'7" from the property line.

Mike Starck motions to recognize the nonconformity to be a line measured @ 4'3" and as such a fire escape could be constructed if it does not encroach beyond such. 4 Ayes, 1 abstain (Follis) motion carries.

Soucek motions to return to agenda item **II. Public Comment** Peters seconds, 5 Ayes motion carries.  
None

**III. Approval of Previous Minutes**

**a. Town Plan Commission Regular Monthly Meeting March 27<sup>th</sup>, 2018-2019**

Chair would like the words "and becoming" in **V. a. Rental Ordinance** replaced with "*in the future defined*". Peters motions to approve as amended, Starck seconds, 4 Ayes, 1 abstain (Follis) motion carries

**IV. Zoning Administrators Report and update**

ZA gives a brief overview of increase in Zoning enquiries.

**V. New Business**

**a. Welcome new Commissioner**

Commissioners welcomes Samantha Follis to the Town Plan Commission

**b. Rental Ordinance changes and sunset clause**

There was considerable discussion of the inclusion of the sunset clause recently inserted in the updated rental ordinance regarding "Incidental Structures". The TPC recommends for the sake of clarity that the Town Board further define the "Sunset Clause". It is not clear if this would result in those who have invested in this portion of the ordinance would be required to cease the activity, should the Town Board

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rescind the ordinance, or if they would remain in good standing. The TPC has asked the ZA to send a memo about this to the Town Board and ask for possible clarification at the next Town Board meeting.

**c. Review Farmhouse request for fire escape and related setbacks**

Noted above

**d. Ordinance Review at County Level/Update**

The Towns Attorney (also serving as the County Attorney) has reviewed the content and process of the Zoning changes. The ZA has not received direct feedback from the Attorney other than a bill related to review and a copy of a memo to Josh Rowley, Ashland County Zoning Administrator, requesting scheduling review before the Ashland County Zoning Committee and the Ashland County Board. Without comment or feedback from the Town's Attorney the ZA believes there are no recommendations or changes indicated.

**e. Fire Numbers**

The ZA is mining data which will be able to query all parcels by Zoning District, assigned Section and Township. This data will be presented to Ashland County Emergency service in order to determine the necessity of a suggested grid (allocation of number ranges) change.

**f. Zoning Brochure Review**

Draft review and suggestions for changes update. The ZA will circulate this for input with Town staff and will reflect their recommended changes. This will not have to be readdressed by the TPC. It is anticipated the ZA will produce approx. 300 copies for Realtors and the general public.

**g. Preliminary review of CSM Application by Michael Anderson for the estate of Warren Anderson parcel #014-00035-0100 15 Acres North of Big Bay Rd (pending receipt of current survey)**

This is two separate (noncontiguous) parcels sharing the same Parcel ID #. This property is shown on the Zoning map as being in the W-1 Zone which requires a minimum of 20 Acres. The ZA was able to find Town Board minutes from 2/22/94 where at the request of the owner this parcel was changed to W-2 (5-acre minimum). Given the evidence presented Wilharm motions to recommend approval of the CSM identified above, Soucek seconds, 5 Ayes motion carries.

**h. Future meeting times and schedule**

Follis addresses that she can make the meetings usually at 4:30, though there are times due to her afterschool program duties that the bus for the participants can be late. It is the consensus of the other TPC members that a periodic tardiness is understandable.

**VI. Future Agenda Items**

- a. Fire Numbers
- b. Zoning Changes
- c. Sunset Clause (feedback, if any)
- d. Parks and Recreation Plan

**VII. Next Scheduled Meeting**

Wednesday May 1<sup>st</sup>, 2019 @ 4:30PM

**VIII. Adjournment**

Soucek motions to adjourn, Peters seconds 5 Ayes motion carries. Chair Soucek adjourns at 5:15PM

**Respectfully submitted on 4/18/19 by Ric Gillman, Zoning Administrator**

***Approved as amended on 5-8-19. Ric Gillman ZA***