

Present: Chairperson Ostrowski; Vice-Chairperson Westerlund; Members: Borowski, Drummond, Grinnan, Jensen, Stempien, Ruprich, and Wilensky

Absent: None

Also Present: Planning and Zoning Administrator, Saur
Planning Consultant, Borden
Council Member, Abboud

Chairperson Ostrowski called the regular Planning Commission meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

AMENDMENTS TO AGENDA/APPROVE AGENDA

Motion by Borowski, second by Stempien, to approve the agenda as published.

Motion passed.

REVIEW AND CONSIDER APPROVAL OF REGULAR PLANNING COMMISSION MINUTES OF MEETING HELD APRIL 26, 2017

Motion by Borowski, second by Drummond, that the minutes of the regular Planning Commission meeting held April 26, 2017 be approved as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

Westerlund arrived at 7:31 p.m.

DISCUSSION ON FENCE ORDINANCE

Borden reported that based on information gathered, most of the fence requests that come before the Zoning Board of Appeals (ZBA) come from the area east of Evergreen, predominately east of Southfield. The Commission could consider drafting ordinances specific to Zone Districts in the Village. Additionally, the existing ordinance needs revisions that would result in consistent terms and language.

Saur reported the privacy screen portion of the ordinance is often confusing to residents. Borden noted setback requirements on privacy screens can lead to unusable space.

Stempien inquired of Abboud the status of the suggested Village-wide survey. Abboud explained that it is on hold. Council is aware that the answers received will vary by area, and the survey could become time consuming and costly to conduct.

Jensen stated a survey would not be as helpful as looking at the ordinances in nearby cities and towns, and then consider what would be applicable and suitable for the Village. Grinnan supported this idea.

Westerlund suggested a fence inventory of existing fences in the Village. Jensen reported that in 1995, they found over 500 examples of non-compliant fences in the Village. Grinnan expressed concern with the difficulty the Village has in enforcing ordinance compliance.

Ostrowski clarified that there are several issues in front of the Commission; there are compliant rear, side, and front yard fences, and rear fences that do not comply with parts, or all, of the ordinance. He also noted that permitting different fencing does not mean it would be built. Borowski stated the Commission needs to consider if changing the ordinance would result in raising property value and neighborhood desirability.

The Commission agreed that the expectation of Council is they review the current ordinance, consider potential changes to the ordinance, and then present that to Council. The Commission requested Saur and Borden compile data on zone districts and requests within the Village, as well as examples of ordinances in neighboring cities to be presented to the Commission at their next meeting.

DISCUSSION ON COUNCIL COMMENTS ON THE PROPOSED ORDINANCE AMENDING CHAPTER 17 TREES, ARTICLE II – TREES ON PRIVATE PROPERTY

Saur reported that at the regular Council meeting held April 4, 2017 the Council held a public hearing and first reading of language amending Chapter 17 Trees, to add Article II – Trees on Private Property. Council discussion resulted in consensus that Single Family Residential Zoned lots with established dwellings should be exempt from permitting including removal of landmark trees. There was support for provisions to require permits for projects that would otherwise require site plan approval, such as new developments, land divisions, etc. Council members expressed desire for an explanation of the rationale for the new regulations, and the potential benefit to the Village. Saur provided revised language with track changes to indicate the sections removed/modified for Planning Commission to review and discuss.

Ostrowski pointed out the Village is predominantly residential and the Master Plan states the Village strives to be “stewards of the environment” and adopting a woodland ordinance to protect landmark trees and to require developers preserve trees was an action item. This ordinance was designed to support that goal. Neighboring cities all have regulations related to trees on private property. Abboud explained it was unclear to members of Council what prompted the revision of the ordinance, but were concerned with the regulations impacting existing Single Family Residential Zoned properties.

Discussion ensued among members as to the merits of maintaining regulations of existing Single Family Residential properties. Commissioners noted absent some protections, there is risk to losing the existing trees and character of the Village. There was concern that a developer could utilize the lack of regulations to circumvent requirements for new developments. Furthermore, it was noted diseased and dead trees are exempt from permitting requirements.

The Commission supported Ostrowski attending the June 20, 2017 Council meeting with a memo providing an explanation of the Commission’s rationale and goals of the ordinance and to answer questions from Council members. Additional Commission members will be in attendance for support.

Ruprich left the meeting at 8:41 p.m.

PUBLIC COMMENTS

Daniel Nunez, Marguerite Street, suggested having solid explanations to help Council consider changes to the tree ordinance. He suggested the Commission consider not just the fence requests that come before the ZBA, but also consequences for those that did not ask or built non-compliant fences. He further suggested that concerns about fences lies in maintenance of fences. Fences that are an eyesore or in disrepair contribute to the opposition to allowing fences.

LIAISON COMMENTS

Abboud reported that he recently attended a Michigan Municipal League meeting, and the issues before them are permits related to oversized and overweight vehicles and distracted driving. The distracted driving legislation would require a driver to use their cell phone exclusively in hands-free mode while operating the vehicle.

ADMINISTRATION COMMENTS

Saur reported she and Chris Wilson, Village Manager, will meet with Gibbs Planning Group to review a prepared proposal for bids for real estate consulting services for the Southfield Corridor Town Center.

GetSome Fitness elected to leave their existing projecting sign. Stempien stated they appear to have replaced the sign face, however it appears to be conforming. Saur will investigate the change.

COMMISSIONERS COMMENTS

Drummond noticed the Huntley fence facing 13 Mile is being replaced, and asked Administration to ensure the finished side of the fence faces toward 13 Mile. He expressed concern about the road markings and construction project at 13 Mile and Evergreen.

Westerlund reported the Mobil Gas Station on the Southwest corner of Southfield and 13 Mile has closed, and the demolition permit has been issued. The station will be rebuilt with a drive thru Tim Hortons.

Motion by Westerlund, second by Wilensky, to adjourn the meeting at 8:58 p.m.

Motion passed.

George Ostrowski
Planning Commission Chairperson

Ellen E. Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary