

AGENDA

Village of Shelby Planning Commission
Tuesday, December 15, 2020
Regular Scheduled Meeting– 6:30 P.M.



VIA ZOOM ONLY

Public access to this meeting can be accomplished online by connecting to “Join a Meeting” at: www.zoom.us, then entering the meeting I.D. : 841 9418 7307 and password: 799913. The link: <https://tinyurl.com/ShelbyPC1215> may also be used for access to the meeting. See the “Zoom Participation Process” on the Shelby website for more details and instructions (www.shelbyvillage.com)

Agenda Topics:

1. Call to Order:
2. Roll Call:
3. Pledge of Allegiance:
4. Review of Minutes of Previous Meeting: November 17, 2020 **AR**
5. Public Participation (Go to Shelbyvillage.com for instructions):
6. Old Business: Review Accessory Building Ordinance – Proposed Amendment **AR**
7. New Business:
8. Adjournment:

AR- Action Requested
D- Discussion Item



**VILLAGE OF SHELBY
PLANNING COMMISSION
Tuesday, November 17, 2020 at 6:30 P.M.
MEETING PROCEEDINGS
Via Zoom**

1. CALL TO ORDER:

The Village of Shelby Planning Commission Meeting was called to order at 6:35 P.M. by Vice Chairman John Sutton.

2. ROLL CALL:

Answering Roll Call: Samantha Near, John Sutton, Paul Inglis, Mark Baker, Tim Horton, and Tara Kelley.

Staff Present: Village Administrator and Clerk/Treasurer Crystal Budde.

3. PLEDGE OF ALLEGIANCE: All stood for the pledge.

4. MINUTES:

a.) October 20, 2020

Paul Inglis moved to approve the minutes of the Regularly Scheduled Planning Commission meeting of October 20, 2020 as presented.

Seconded by: Tim Horton.

Roll Call Vote:

Ayes: Inglis, Horton, Near, Sutton, Baker, Kelley.

Motion Carried.

5. CITIZEN PARTICIPATION: No Citizen Participation.

6. OLD BUSINESS:

a.) Review Accessory Building Ordinance – Next Steps

The Planning Commission discussed the Accessory Building Ordinance in October and possible changes to it for the Village. A change to the ordinance to allow two accessory buildings could be as simple as the following:

Number of buildings. No more than two detached accessory buildings shall be permitted on any lot; provided, however, dog pens and similar animal enclosures, swimming pools, satellite dish antennas, towers and antennas, and decks shall not be counted when determining the maximum number of permitted buildings or structures.

After much discussion, the Planning Commission will table the changes to the Accessory Building Ordinance until the December 2020 meeting.

7. NEW BUSINESS:

a.) Preliminary Site Plan Review – Shelby Trails Apartments

The Shelby Trails Apartment Building project first came before the Shelby Zoning Board of Appeals for a Use Variance last Spring. The property is in the C-1 Central Business District which does not provide for apartment buildings. The project is a combination of four lots on Walnut between Third and Fourth Street along with a

parcel being created next to the Pavilion and the Rail Trail that will be sold to the developer. An easement agreement will be created to provide access to Fourth Street for the apartment building. While the use variance was approved, there was no determination made regarding zoning requirements for the apartments. Items to be discussed are: parking, driveway requirements, landscaping, and exterior finishes.

Parking – The parking requirements in the C-1 district are that 1.5 parking spaces per apartment unit. The site plan shows that 23 spaces are supplied, but nine of those spaces are in the street right-of-way on Walnut and is not permitted. No on-street parking is allowed anywhere in the Village from November 15 – April 1 for snow removal purposes which also makes these spaces not able to be counted in the minimum requirements for the project.

Driveway – The requirements in the C-1 district restricts apartments to have one driveway into the parking area. This reduces the impervious surface on the property to reduce storm water drainage and add to green space for the development. Additional drives are allowed when the road frontage exceeds 300’ and trip generation numbers indicated the need for two access points. Neither standard is met for this item. Also, the slope of the lot creates a very steep surface if the Walnut access were to be allowed. The proposed 15% slope is more than twice as steep as a typical road constructed today. This would create dangerous conditions for vehicles using this drive.

Landscaping, Signage, and Lighting – No landscaping, signage and lighting plan was submitted. This often happens and Planning Commissions approvals note that, as a condition of final approval, the landscaping plan be submitted and approved prior to breaking ground for the project. That is requested for this development.

Exterior Finishes – None have been submitted; the Planning Commission should discuss with the development for inclusion in the final plans.

After much discussion, the Planning Commission instructed the architect Kendra Thompson to present an updated plan at the December Planning Commission meeting to show changes to the parking and driveway for the Shelby Trails Apartment building. The plan will reflect changes of one driveway from Fourth Street and all parking spaces on the lower East side of the building with the exception of 2 to 3 parking spaces near the main entrance of the building.

8. ADJOURNMENT: Tara Kelley moved to adjourn the meeting at 7:45 P.M.
Seconded by: Paul Inglis.

Roll Call Vote:
Ayes: Kelley, Inglis, Near, Baker, Horton, and Sutton.
Motion Carried 6-0.

Planning Commission Meeting minutes are not official until approved at the next Regularly Scheduled Planning Commission Meeting of

Approved

Minutes Respectfully Submitted by Crystal Budde Clerk/Treasurer

Date

VILLAGE OF SHELBY

MEMO

Date: December 15, 2020
To: Shelby Village Planning Commission
From: Brady Selner, Village Administrator
RE: Proposed Amendment to the Accessory Building Ordinance

INFORMATION:

The Planning Commission has discussed updates to the Accessory Building Ordinance for the Village of Shelby. Last month the Commissioners directed staff to prepare a draft of the ordinance language with changes that:

1. Allowed for two accessory buildings
2. Allowed for metal siding on smaller (under 200 sq. ft.) buildings.
3. Limit the size of all accessory buildings to take up less than 30% of the required rear yard for a residential building.

FINANCIAL IMPACT:

None.

STAFF RECOMMENDATION/SUGGESTED MOTION:

Planning Commissioners, after reviewing the attached proposal, may set a public hearing on the proposed ordinance revision.

Motion by _____, seconded by _____, to set a public hearing for Tuesday, January 19, 2021 at 6:30 p.m. to hear comments on the proposed amendments to Section 3.11, Accessory Buildings and Structures of the Shelby Village Zoning Ordinance.

PROPOSED ACCESSORY BUILDING ORDINANCE (12/20)

SECTION 3.11 ACCESSORY BUILDINGS AND STRUCTURES

- A. Unless associated with a bona-fide agricultural operation, no accessory building shall be permitted on any lot which does not contain a main building unless a permit for a main building has also been secured for that lot.
- B. Attached accessory buildings and structures that are structurally part of the main building shall conform to the setback requirements of the main building.
- C. Detached accessory buildings shall be a minimum of ten (10) feet from any other building or structure.
- D. Detached accessory buildings in the Village shall be a minimum of five (5) feet from rear or side property lines and shall not be permitted in the front yard. Detached accessory buildings in the Township shall be set back fifty (50) feet from any property line.
- E. In the Township, accessory building(s) shall not be erected in any required front yard. In the Village, accessory buildings are not permitted in the front yard.
- F. In the Village Residential Districts, accessory buildings shall be of residential construction and shall be compatible with surrounding residential homes. Sheet metal walls are prohibited on any accessory building larger than 200 square feet. ~~Accessory buildings under two hundred (200) square feet are exempt (amended July 2007)~~
- G. In the Village, no more than **two (2) accessory buildings** ~~one (1) accessory building~~ shall be located on any parcel within any Zoning District. ~~, except that two (2) may be permitted when one (1) is a garage or other shelter for vehicles belonging to the residents.~~
- H. No accessory building shall be used in any part for residential dwelling or sleeping purposes.
- I. Manufactured homes, semi-trailers or other vehicles shall not be used as accessory storage structures.
- J. No accessory building shall occupy any portion of a required greenbelt or buffer in any District.
- K. After the construction of an accessory building upon a parcel of land, no subsequent division of that land shall be made which would cause the building located thereon to be in violation of the terms of this Ordinance.
- L. A zoning permit shall be secured prior to the placement of any accessory building.
- M. The maximum height of accessory structures in the Township shall be twenty four (24) feet.
- N. The total square footage of all detached accessory buildings associated with residential uses in the Village shall not exceed **thirty percent (30%) of the required rear yard and the restrictions shown in the following table:**

Minimum Lot Size	Maximum Square Footage (GFA)	Maximum Height (ft)
3,000 sq. ft.	384 sq ft (e.g. 16 x 24)	14
5,000 sq. ft.	672 sq ft (e.g. 24 x 28)	14
10,000 sq. ft.	864 sq ft (e.g., 24 x 36)	18
15,000 sq. ft.	1,080 sq ft (e.g. 30 x 36)	20
20,000 sq. ft.	1,200 sq ft (e.g., 30 x 40)	24
35,000 sq. ft.	1,600 sq ft (e.g., 40 x 40)	28
1 acres +	2,000 sq ft (e.g., 40 x 50)	28