

City of Huron
Planning Commission/DRB
September 20, 2023 5:00 P.M.

The meeting was called to order at 5:02pm. in the Council Chambers at Huron City Hall, 417 Main Street by Chairman, Gary Boyle. Members in attendance: Mark Claus, Mark Cencer, and Jim Hartley. Members absent: Bob Howell. Staff in attendance: Planning Director Erik Engle, Zoning Inspector Jeff Fantozzi, and Administrative Assistant Christine Gibboney.

Approval of Minutes N/A

Audience Comments - None

New Business

Public Hearing- Rezoning Application- Lemmy's Restaurant (3 Parcels) From R-1A to B-3 General Business. Parcel Nos.: 43-00306.000, 43-00305.000, 43-00307.000

Project Description

The applicant is requesting consideration for a rezoning of the parcels from the current R-1A (Single Family) to B-3 (General Business) Zone to allow for compliance with current use and any future expansion of existing structures/uses.

Mr. Engle provided overview of the application for rezoning of three parcels comprising the Lemmy's Restaurant property from the current R-1A to B-3. He explained the new owner met with staff to discuss the current use and future which included improvements to the property, outdoor dining area, and the addition of a liquor license. Mr. Engle noted that the lots are currently pre-existing/nonconforming to the R-1A zoning. He noted the owner has already completed the applications to combine all three lots and the finalization is at the county level. Mr. Engle noted that staff is recommending the approval of the rezoning as proposed and referenced the zoning maps included with the staff report for surrounding uses and zoning.

Mr. Boyle opened the public hearing at 5:05pm.

Owner/Rep: Jan Bucholz.

Ms. Bucholz addressed the board, noting that she was not aware of the zoning when she purchased the property and with the improvements they are planning for the property, the combination of the three lots and the rezoning seems appropriate.

Audience Comments: Rick Gadd

Mr. Gadd inquired about the mention of the liquor license. Mr. Engle commented that R-1A zoning does not allow for a liquor license. He noted the owner has applied for a license to allow them to serve on site. Mr. Bucholz explained that presently, the restaurant is open for breakfast and lunch only, she explained that they have applied to transfer the liquor license from the Mariners Club. Mr. Gadd express concern over the liquor license about hours of operation. Ms. Bucholz advised that they are not planning on being a bar or staying open late.

Mr. Boyle referenced the lot combinations and rezoning for use are understandable. He advised that the Planning Commission/DRB will be reviewing all site plans and parking for compliance when these applications are submitted and referenced the fenced-in outdoor

dining area that was constructed. He noted that this body does not have any role regarding liquor licensing, noting that this would be a matter to be addressed by City Council. Mr. Claus noted that the fenced-in dining area was approved at a previous meeting. Members referenced the small vacant parcel, Ms. Bucholz noted it is currently a grassy area, but could be parking spaces. Members inquired about hour of operation; Mr. Bucholz replied that they are thinking of doing dinner hours on Friday and Saturday during the summer months but would not be staying open late. Members expressed their support of the rezoning, noting it cleans up the existing and future use to be in compliance with the zoning code.

Motion by Mr. Cencer to recommend the approval of the rezoning application, for the three parcels from R-1A to B-3 as proposed, referring the recommendation to City Council. Motion seconded by Mr. Claus. Audience member asked about R-1A Zoning and use all these years. Mr. Boyle explained the R-1A is a residential zoning and the property would be considered preexisting/nonconforming to the uses allowed, however, it was legal all these years, now that improvements are planned, zoning needs to be made compliant. **Roll call on the motion:**

Yeas: Cencer, Claus, Boyle, Hartley (4)

Nays: (0)

Abstain: (0)

With a majority vote in the affirmative, motion passes and rezoning application approved as submitted (R-1 to B-3) with recommendation made to City Council.

Staff Report

Mr. Engle referenced the survey of work session dates that had been emailed, and advised the following dates are being recommended for work sessions to be held at 5:30p.m.:

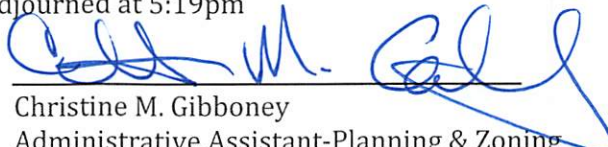
Wednesday, October 11

Wednesday, November 8

Wednesday, December 6

Members in attendance expressed they believed they would be available for these dates. Staff to send out email confirmation to members. Mr. Cencer and Mr. Boyle advised that they may not be in attendance for the regular meeting of October 18, 2023.

With no further business, motion by Mr. Hartley to adjourn, motion seconded by Mr. Cencer. All in favor, motion passes, meeting adjourned at 5:19pm


Christine M. Gibboney
Administrative Assistant-Planning & Zoning

Adopted: 10-18-23