

## CHAPTER 8

### RESIDENTIAL SITE REVIEW

#### SECTION 801. PURPOSE AND APPLICABILITY.

In order to promote the purpose of this Chapter and ensure compliance with the intent as well as the letter of the regulations, it is deemed prudent and necessary to exercise Site Planning controls that will encourage good development and minimize undesirable effects on surrounding properties and upon transportation systems, utilities and other public facilities. The purpose of this chapter also includes the expressed intent to maintain all existing trees to the greatest extent possible in residential areas and to encourage a variety of housing styles, sizes and types in residential areas. The purpose of such controls is to protect the public health, safety and general welfare of the community. The provisions of this Chapter shall apply only in the following circumstances:

- (1) Any change in the current use of any parcel within the Village, and/or
- (2) Any new construction of a residential use, (For subdivisions, see the adopted Subdivision Control Ordinance of the Village of Lakewood Club.)
- (3) Any new additions, out buildings and parking for residential use requires a site plan.  
Amended 9/26/2016

#### SECTION 803. EXEMPTIONS.

**Exemptions to Site Plan Review by the Planning Commission; Site Plan Review for which an existing structure does not change by more than a 25% increase in height or footprint may be reviewed by the Zoning Administrator. The Zoning Administrator may request any Site Plan Review to be performed by the Planning Commission.** amended 9/26/2016

#### SECTION 804. REVIEW FEES.

- (1) FEES. Review fees shall be established for “Site Plan Reviews” and “Site Plan Review Appeals” by resolution of the Village Council upon adoption of this ordinance, and annually there after with adoption of the Village fiscal budget.

#### SECTION 805. SITE PLAN SUBMITTAL REQUIREMENTS.

- (1) INFORMATION REQUIRED. Each Site Plan submitted shall contain the following information, provided however, that the Planning Commission or Site Plan Review Board may waive one (1) or more of these information requirements if such a requirement would be an unnecessary hardship.

An accurate plot plan, drawn to a minimum of one (1”) inch to fifty (50’) feet scale. The Plot plan must show all of the following items.

- (a) Property boundaries, dimensions and north arrow.

- (b) Location, size and use of all buildings.
  - (c) Location of public and private streets, drives, alleys, easements, pedestrian walkways and loading areas.
  - (d) Location and quality of parking areas, as specified in this Ordinance. Also the location of exterior lighting.
  - (e) The location of all existing and proposed landscaping and vegetation, including number of trees and shrubs. Also the location, height and type of existing and proposed fences, walls and retaining walls.
  - (f) The location and size of all existing and proposed drainage facilities, and any wetlands or bodies of water.
  - (g) A vicinity map showing the approximate locations of all structures on properties within five hundred (500') feet of any lot line of the subject properties. Include a photograph, as viewed from the front street, for each residential structure within the five hundred (500') area. The photographs should be four (4") inches by five (5") inches or larger, with the structure clearly in focus and filling approximately eighty (80%) percent of the picture.
  - (h) A topographic map showing existing contour lines at one (1') foot intervals. Where excavation, fill or re-contouring of the site is involved, final contours shall also be shown. Spot elevation on a fifty (50') grid may be substituted for contours on the map.
  - (i) Deed restrictions or other covenants affecting the land.
  - (j) Any additional information that is deemed reasonably necessary to evaluate the project and its effect on the Village.
- (2) **SITE PLAN SUBMISSION.** The Site Plan, including additional or related information required by the SPRB, shall be presented to the Village Clerk by the applicant or property owner or his or her designated agent, in four (4) copies, (working copy, record copy, Building Inspector's copy, and applicant's copy).

When a change to an approved Site Plan is requested four (4) copies of the Site Plan shall be presented to the Village Clerk by the applicant or property owner or his or her designated agent. The Village Clerk may request that the applicant supply additional copies.

- (3) **FEE.** All site plans must be accompanied by the site plan review fee upon submission.

**SECTION 806. SUBMITTAL AND REVIEW PROCEDURE.**

- (1) **PLACEMENT ON AN AGENDA.** The Village Clerk shall cause the submittal to be placed on the agenda of the next regular SPRB meeting upon payment by applicant of a fee. The SPRB or the Chairperson of the Planning Commission shall

review and respond to the application within fifteen (15) days of receipt of the Site Plan application.

- (2) **REVIEW PROCEDURE.** The SPRB shall have the responsibility and authorization to approve, disapprove, or approve subject to conditions, the subject Site Plan in accordance with this Chapter.
- (3) **CONDITIONS OR MODIFICATIONS.** Any conditions or modifications desired by the SPRB shall be recorded in the minutes of the SPRB meeting. The SPRB may, as it deems necessary to promote the purpose of this Chapter, require landscaping, walls, fences, drives, and other improvements.

The resolution of the SPRB shall state the basis relied upon in approving a Site Plan or denial thereof, and any conditions imposed.

- (4) **RESUBMITTAL.** Any application, which has been denied in whole or approved subject to conditions by the SPRB, may be resubmitted with the payment of a new site plan review fee.
- (5) **APPROVED SITE PLAN.** When approved, by either the SPRB or Planning Commission, four (4) copies of the approved Site Plan shall be signed and dated by the Chairperson of the SPRB. One (1) copy of the approved Site Plan shall be kept on file with the village clerk, one (1) copy as a working copy, one (1) copy shall be for the Building Inspector, and one (1) copy shall be returned to the applicant. A Site Plan, as approved by the SPRB, shall become part of the record of approval.

#### **SECTION 807. CHANGES TO APPROVED SITE PLANS.**

Changes to an approved Site Plan must be reviewed by the SPRB.

#### **SECTION 808. SITE PLAN REVIEW STANDARDS.**

- (1) **PURPOSE.** The following standards shall be utilized by the SPRB in reviewing all Site Plans. These standards are intended to provide a frame of reference for the applicant in the preparation of Site Plans as well as for the reviewing authority in making judgments concerning them. These standards will not be regarded as inflexible requirements. They are not intended to discourage creativity, invention or innovation.
- (2) **DIMENSIONAL REQUIEMENTS.** The dimensional arrangement of buildings and structures conforms to the required yards, setbacks and height restrictions of the Building Code.
- (3) **BUILDING ARRANGEMENT.** The proposed buildings and structures should have a harmonious relationship to the site terrain, landscaping, open space, and the other buildings and structures, existing and proposed. The bulk, location and height of proposed buildings and structures as well as the general character of the development should minimize any adverse effect to other private development in the surrounding area and should not impose undue burdens on the public facilities that can be avoided by modification in the Plan. A proposed residential building should have an architectural

character different from other residences located within five hundred (500') feet of the property lines, on the same street of the proposed building site. Buildings, which are mirror images or which have minor facial differences compared with another residential building within the five hundred (500') feet distance, are considered to be identical or similar in architectural character and shall be considered inconsistent with the intent of this requirement.

- (4) **SURFACE WATER DRAINAGE.** Attention shall be given to proper site surface drainage so that discharge of surface waters will not adversely affect neighboring properties, the public right-of-way or storm drainage facilities.
- (5) **VEHICULAR ACCESS.** The provisions for vehicular loading and unloading and parking, and for vehicular and pedestrian circulation on the site and onto adjacent public streets and right-of-ways shall not create hazards to safety, nor impose a significant burden upon public facilities which could be avoided by modifications in the Plan.
- (6) **PESDESTRIAN ACCESS.** Pedestrian movement along the street right-of-way should not be hindered by rocks, boulders, fences or other obstructions.
- (7) **EXTERIOR LIGHTING.** Exterior lighting shall not create undue hazards to motorists traveling on adjacent public streets nor damage the value and diminish the usability of adjacent properties. Lighting should be adequate for the safety of occupants or users of the site.
- (8) **LANDSCAPING.** The landscaping shall be preserved in its natural state insofar as practicable. Tree and soil removal should be minimized, however as a minimum there shall be at least one (1) tree for every three thousand (3000) square feet of property. The trees considered for meeting this standard shall be healthy, with a minimum caliper size of three (3) inches measured four (4) feet above the ground. The spacing and species of the tree shall be subject to review and approval of the SPRB. Plant materials should be used to enhance the appearance of the site, to screen unsightly or harsh elements, and to provide visual relief from large monotonous features such as parking lots. Any grade changes should be in keeping with the general appearance of neighboring developed areas.
- (9) **SPECIAL FEATURES.** Storage areas, mechanical areas, service areas, truck loading areas, utility buildings and structures, and similar features should be located and/or screened so as to be unobtrusive and not interfere with access to or circulation within the site or detract from the visual impression of the site.
- (10) **EMERGENCY ACCESS.** All buildings and structures are to be accessible to emergency vehicles.

#### **SECTION 809. SITE PLAN REVIEW APPEALS.**

- (1) **APPEAL TIME PERIOD.** An applicant for a Site Plan Review may appeal the decision(s) of the SPRB to the Planning Commission for consideration. The appeal request must be submitted to the Village Clerk within thirty (30) days after the site plan has been either denied or approved with conditions or modifications by the SPRB.

- (2) **CONTENTS OF APPEAL.** The appeal must be submitted in writing, clearly state the reason(s) for the appeal, include all supporting documentation and a Site Plan Review Appeal Fee. The Village Clerk shall place the appeal on the agenda for the next scheduled Planning Commission meeting. Should the Planning Commission reverse or modify the decision of the SPRB, the Site Plan Review Appeal Fee will be refunded to the applicant forty-five (45) days after a decision regarding the appeal has been made by the Planning Commission. Should the applicant decide to appeal the Planning Commissions decision, the refund will be held until after the Village Council has ruled on the second appeal.
  
- (3) **APPEAL PROCEDURE.** An applicant may appeal the decision(s) of the Planning Commission to the Village Council. The appeal request must be submitted to the Village Clerk within thirty (30) days after the Site Plan Review Appeal has been either denied or approved with conditions or modifications by the Planning Commission. The appeal must be submitted in writing and clearly state the reason(s) for the appeal and include all supporting documentation and another "Site Plan Appeal Review Fee". The Village Clerk shall place the appeal on the agenda for the next scheduled Village Council meeting. Should the Village Council reverse or modify the decision of the Planning Commission, all Site Plan Review Appeal Fees shall be refunded to the applicant forty-five (45) days after a decision regarding the appeal had been made by the Village Council.

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