



1                   **PLANNING COMMISSION REGULAR MEETING MINUTES, APRIL 25, 2023**  
2

3           **CALL TO ORDER/ROLL CALL**

4           The Meeting was called to order at 6:00 p.m. and roll was called. The following Commissioners were  
5 present: Vice Chair Davis, Secretary Loeks, Commissioners Roberts, Eavey, and Matson. Also present  
6 were Zoning Administrator Lovely and Recording Secretary Quemada. Chair Corfman and Commissioner  
7 Buckham were absent.

8  
9  
10           **PUBLIC COMMENTS**

11           There were no public comments.

12  
13  
14           **ADOPTION OF MEETING AGENDA**

15           The agenda was reviewed. Motion by Eavey, seconded by Loeks, motion carried, to adopt the agenda  
16 as presented.

17  
18  
19           **APPROVAL OF MEETING MINUTES**

20           Spelling corrections were noted within the draft April 11, 2023, Workshop Meeting Minutes.

21           Motion by Roberts, seconded by Matson, motion carried, to approve the minutes of the April 11, 2023,  
22 Workshop Meeting Minutes with corrections indicated.

23  
24  
25           **NEW BUSINESS**

26  
27           No new business.

28  
29  
30           **OLD BUSINESS**

31           Review Draft Land Division Ordinance Amendments

32           Request: Continued review and consideration of draft ordinance amendments for Land Divisions, Lot  
33 Line Adjustments and Parcel Combinations.

34           A draft of the Land Division, Lot Line Adjustment and Parcel Combination proposed amendments was  
35 presented by Zoning Administrator Lovely. This is a continuation of discussions had during previous  
36 meetings. In reviewing the existing regulations, Lovely expressed concern and confusion regarding the  
37 lack of language and/or provisions dictating minimum lot width, along with a desire to clarify how the depth  
38 to width ratio must be calculated. A diagram was shared to give an example.

39           Amendment to section 36-5.1 was reviewed regarding flag shaped lots and change in direction.  
40 Commissioners raised the question being that if a tree or pond was directly in the middle of the proposed  
41 lot line, would that be a case where it would be helpful to be able to change direction. Following discussion,  
42 commissioners agreed to allow up to two changes in direction, enabling a return to original direction, while  
43 clarifying language to ensure it does not allow a 90-degree angle. Concern was expressed that multiple  
44 flag shaped lots could be created out of a parcel, not just one. Discussion continued regarding scenarios  
45 where a parcel could or could not create one or more flag shaped lots including shared driveways. Zoning  
46 Administrator Lovely reminded commissioners that all other dimensional standards for parcels still apply,  
47 along with other standards such as access, shared driveways, number of permissible splits, etc. For  
48 example, a flag shaped land division naturally creates the flag lot and then the smaller lot with greater  
49 frontage. If enough land existed, then a third "land locked" parcel could only be created by the development  
50 of a private or public road to provide the minimum required frontage.

51           Commissioners agreed that Zoning Administrator Lovely should clarify the definitions and confirmed  
52 that a finalized diagram will be included with the proposed amendment prior to adoption.  
53

54 Review Draft Site Condominium and Subdivision Ordinance Amendments

55 Request: Review draft amendments for highlighted items and discuss scheduling of a public hearing  
56 for the May 23, 2023, Planning Commission Regular Meeting.

57 A draft of Site Condominium and Subdivision Ordinance was introduced by Zoning Administrator  
58 Lovely with new regulations highlighted in yellow and corresponding staff comments in red.

59 Commissioners discussed Section 3C: Approval Prior to Development and agreed that this section  
60 should remain and can be removed at a later date if it becomes an issue. Zoning Administrator Lovely will  
61 look into potential ramifications and enforcement options if this section is not adhered to.

62 Zoning Administrator Lovely indicated that he will fill in the adoption date in Section 6 when the potential  
63 second reading date of the ordinance becomes clear.

64 Commissioners discussed Section 7B: Public Utilities and agreed to keep the requirement for public  
65 utilities if public utilities are within one-half mile (2,640-feet) of the development site based on a  
66 recommendation from the Township Engineer.

67 Commissioners discussed Section 7.C.ii regarding public sanitary sewer easement widths and agreed  
68 with Zoning Administrator Lovely's recommendation to require a minimum width of 20-feet for sewers up  
69 to 10-feet in depth, with the option to require up to a 30-foot-wide easement for sewer with a depth greater  
70 than 10-feet.

71 Commissioners discussed Section 7.D.i regarding free form basins and agreed that this should be  
72 modified to encourage but not require this if site conditions will not allow. Zoning Administrator Lovely  
73 indicated that he will work on language to replace "should" with more clear language encouraging free form  
74 basins.

75 Commissioners discussed Section 7.D.ii regarding side slopes and agreed with Zoning Administrator  
76 Lovely' recommendation to remove "must be varied to imitate natural conditions".

77 Commissioners discussed Section 7.D.vii regarding retention basin setbacks adjacent to properties  
78 without public sewer and agreed that the language needs to be clarified to indicate "without public sanitary  
79 sewer available".

80 Commissioners discussed Section 7.D.viii regarding naturalized planting themes for retention basins  
81 and agreed to remove the mention of "evergreen" trees and replace with "large" trees.

82 Commissioners discussed Sections 7.E.Viii, 7.G.ii and 7.L.ii and agreed that the 50-foot buffer is  
83 intended for all site boundaries with frontage along a county primary or secondary road. This will prevent  
84 direct individual lot/unit access along county primary or secondary roads. The 20-foot preservation buffer  
85 is intended to be included within the 50-foot buffer. Zoning Administrator Lovely indicated that he will work  
86 to clarify the language as such.

87 Commissioners discussed Section 7.I.iii regarding required lighting along the roadway. Zoning  
88 Administrator Lovely indicated that he was not a fan of the language enabling commissioners to require  
89 lighting in "all other areas requiring lighting as may be recommended by the Township Planning  
90 Commission". Commissioners agreed that more guidance needs to be added to language to indicate  
91 factors such as curvature of the road and safety concerns and directed Zoning Administrator Lovely to  
92 modify the language accordingly.

93 Review of the remainder of the draft ordinance was tabled until the workshop meeting on May 9, 2023.

94  
95 Riparian Ordinance Amendment Updates

96 Request: Review draft survey questions prepared by CIB Planning.

97 Draft riparian survey questions comprised by CIB were provided to the committee. After much  
98 discussion, commissioners agreed to eliminate questions 4, 7 and 10. A request was made to add a  
99 question to the survey regarding short-term rentals. Commissioners were asked to come to the next  
100 meeting with any additional questions they think should be added to the survey. For question number 5,  
101 "20-feet" will be added to the end to read, "would you like to see the maximum allowable height for  
102 accessory structures like garages be increased from 20-feet"? It was also suggested to break the survey  
103 into an environmental section and a zoning section. The survey will be mailed only to riparian lots but will

104 also be available on the Township website and noted in the newsletter in case the general public wants to  
105 respond to the survey questions as well.

106  
107

108 **COMMISSIONER COMMENTS**

109 Commissioner Roberts provided several Township Board updates. A veterans' milage proposal will be  
110 on the ballot for the November election. Bosch Architecture has been chosen to design the restrooms for  
111 the 6<sup>th</sup> street park and there is hope for a bid-out and to break ground this year. She also shared several  
112 updates related to the flood mitigation project.

113 Zoning Administrator Lovely shared the April ZBA meeting has been cancelled and there will possibly  
114 be no May meeting as well due to the deadline quickly approaching with no submissions.

115 Zoning Administrator Lovely asked to discuss the following items that have be recurring points of  
116 conflicts for zoning reviews completed thus far in 2023:

- 117 • Attached deck setbacks following rear yard principal building setbacks: commissioners  
118 expressed conflicting views on consideration of allowing encroachments of 10 to 15-feet in to  
119 the rear setback. Zoning Administrator Lovely agreed to bring some examples of residents who  
120 have been unable to build a deck due to the current setback requirements.
- 121 • Preserved right-of-way setbacks for buildings and signs: Zoning Administrator Lovely shared  
122 with commissioners that a recent ZBA case and numerous sign cases thus far in 2023 may  
123 warrant a closer look at where preserved rights-of-way should be required. Commissioners felt  
124 that the intent was to apply these setbacks to buildings and that sign setbacks may not need to  
125 be measured from the preserved right of way. Lovely shared that the ordinance currently  
126 requires that all setbacks be measured from the preserved right of way along all county primary  
127 roads and that he would soon propose language that would allow for reasonable  
128 encroachments by signs on the required preserved right-of-way for the Planning Commission's  
129 consideration.
- 130 • Clarification on Section 36-5.1.3 that states "every dwelling structure shall be built upon a lot  
131 with frontage": Zoning Administrator Lovely shared that he was recently asked by a potential  
132 buyer of land adjacent to an existing plat if they could purchase the property and build on it. All  
133 other requirements are met aside from the minimum frontage requirement of 200-feet (66-feet  
134 provided) and access could be obtained from the end of the public county road cul-de-sac.  
135 Zoning Administrator Lovely cited Section 36-5.2.3 in addition to the above section and felt that  
136 he could determine this to be a buildable lot only if 66-feet of frontage was enough for this to  
137 be considered a buildable lot at the time that the lot was originally created.

138  
139

140 **PUBLIC COMMENT**

141 There were no public comments.  
142

143

144 **ADJOURNMENT**

145 Motion by Eavey, seconded by Matson, motion carried to adjourn the meeting. The meeting was  
146 adjourned at 8:50 p.m.

147

148 Submitted: May 1, 2023 Approved: May 9, 2023

149

150 Recording Secretary Quemada