

PLANNING COMMISSION
Minutes for Regular Meeting of
October 6, 2016

PRESENT Dave Roesler, Tom Thompson, Leslie Sprott, Ina Ray, John Warner, William Josephson and Jan Deur.

ALSO PRESENT Zoning Administrator Jensen, Recording Secretary Dion and 1 interested party.

CALL TO ORDER Chairperson Roesler called the October 6, 2016 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Jan Deur, second from John Warner, **ADOPTED**, to accept the agenda as written.

7 AYES

MINUTES Motion by John Warner, second from Leslie Sprott, **ADOPTED**, to accept the August 4, 2016 meeting minutes as written.

7 AYES

PUBLIC COMMENT – None

OLD BUSINESS

- **Article III, General Provisions** – Section 3.11 Fences, Walls, Hedges, Berms and Screens (A.) (amend).
- **Article XX, Administration and Enforcement** – Section 20.06 Zoning Permit Required (A.) (amend).

Chairperson Roesler stated he received an email from Attorney Even before the meeting and it said he is in agreement with the changes made at the August meeting and as written below.

ARTICLE II
DEFINITIONS **DEFINITIONS - W**

WALL

An upright structure of masonry, wood or other building materials serving to enclose, divide, or protect an area.

ARTICLE III
GENERAL PROVISIONS

SECTION 3.11 **FENCES, WALLS, HEDGES, BERMS AND SCREENS**

- A. Notwithstanding other provisions of this ordinance, fences, walls, hedges, berms and screens may be permitted with a zoning permit ~~in any yard or along the edge~~ within the setback of any yard provided that no fences, walls, hedges, berms or screens shall be over six (6) feet in height if erected in back of the required front set back line, or the rear of the house whichever is closest and any fences, walls, hedges, berms or screens erected

between the required front yard setback line *or the rear of the house whichever is closest* and up to the street right-of-way, shall not be in excess of four (4) feet. For lakefront lots see additional restrictions in the Lake Michigan Shoreline District, Inland Lakes District and North Duck Lake Overlay District.

ARTICLE XX ADMINISTRATION AND ENFORCEMENT

SECTION 20.06 ZONING PERMIT REQUIRED

A. No person shall commence construction of ~~any building, or structure, fence, wall, hedge, berm and screen~~ or make structural changes in any existing structure or use of a parcel of land in the township the following without first obtaining a zoning permit from the Zoning Administrator:

1. Any building, or structure, or structural changes in any existing structure or use of a parcel of land in the township;
2. Any fence, wall, hedge, berm or screen within the setback.

There shall be an application fee established by the Township Board.

Because that didn't answer the concerns/questions Zoning Administrator Jensen brought forth in an email regarding potential conflict with other parts of the ordinances and the intent of the language Chairperson Roesler called him to discuss. Attorney Even suggested further discussion should be held.

Zoning Administrator Jensen stated he does not believe we should be regulating the size/height of trees. The Department of Environmental Quality (DEQ) has regulations we need to look at as far as vegetation, etc. and we also need to look closer at some sections of Article VIa Lake Michigan Shoreline District which contradict the regulations regarding Fences, Walls, Hedges, Berms and Screens. He agrees with Attorney Even that the intent does need to be revisited. He also believes that the definition of screen and possibly structure need to be reviewed.

Consensus was to send back to the subcommittee for further discussion.

COMMISSIONERS COMMENTS

Commissioner Deur advised that R. Sidney Shaw had been appointed by Supervisor St. Amour as Deputy Supervisor during his absence. Since then the decision was made we didn't need a Deputy Supervisor and Mr. Shaw was thanked for his service.

Commissioner Deur advised that the Township had applied for a non-monetary National Park Service Grant and it was approved for the 300 acre parcel on Duck Lake Road. It provides a consultant to advise the Township regarding what type of trails might be suitable for that parcel.

PLANNING/ZONING UPDATES

Commissioner Warner stated the Zoning Board of Appeals has not met since last year.

ADJOURNMENT

Motion by Jan Deur, second from John Warner, ***ADOPTED***, to
ADJOURN the October 6, 2016 regular meeting at 7:25 p.m.

7 AYES

Respectfully Submitted,

Sally Dion, Recording Secretary