

PLANNING COMMISSION
Minutes for Regular Meeting of
May 6, 2015

PRESENT Dave Roesler, Tom Thompson, Jan Deur, Ina Ray and Leslie Sprott.

NOT PRESENT John Warner, William Josephson, excused.

ALSO PRESENT Zoning Administrator Sandel, Recording Secretary Dion and 2 interested parties.

CALL TO ORDER Chairperson Roesler called the May 6, 2015 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

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

5 AYES
2 ABSENT
Josephson & Warner

MINUTES Motion by Jan Deur, second from Leslie Sprott, **ADOPTED**, to accept the April 1, 2015 meeting minutes as written.

5 AYES
2 ABSENT
Josephson & Warner

PUBLIC COMMENT

1. Dave Twardock, 5161 Scenic Drive, shared ideas of purchasing Michillinda Beach Lodge from Jon Rooks. Mr. Rooks would continue to operate as is today for the next three summers, giving Mr. Twardock an opportunity to work on a plan for the property.

Steve Vallier, Westshore Consulting, handed out a plan and gave brief overview of it if done with land division. It would consist of nine parcels total with a private street. Because Private Streets are not allowed in the Lake Michigan Shoreline District application would need to be made to the Zoning Board of Appeals for a variance. They would request a variance from the Private Street requirements as they wish to use the existing drive. They will also need to request a variance for lot(s) that may not meet the minimum standards for lot size and or width. If the Zoning Board of Appeals granted the variance for the private street it then goes to the Planning Commission for approval. Mr. Twardock would like to do this plan in phases, creating some parcels, however, wants to continue renting existing units as a resort.

Zoning Administrator Sandel advised there are time requirements for approvals from both the Planning Commission and Zoning Board of Appeals. This needs to be taken into consideration before applying.

Chairperson Roesler advised this would be taken under advisement, he reiterated timing is an element with both the Planning Commission and Zoning Board of Appeals. He advised all questions should be submitted in writing to the Zoning Administrator to avoid confusion.

NEW BUSINESS – PUBLIC HEARING

- 1. New Article XVIII, Floodplain Management Ordinance

PUBLIC HEARING OPEN 7:05 p.m.

Zoning Administrator Sandel advised that FEMA is redoing the maps using engineering to replace existing maps that are not correct, this will help those that used to have to request map adjustment (costly) to avoid paying flood insurance (costly).

CORRESPONDENCE

None

PUBLIC HEARING CLOSED 7:15 p.m.

Motion by Jan Deur, second from Leslie Sprott, **ADOPTED**, to recommend adoption to the Township Board of Trustees subject to technical amendments or corrections as determined by the Township Attorney.

**5 AYES
2 ABSENT
Josephson & Warner**

- 2. **Amend** Article II, Definitions, Section 2.02 Definitions A, Section 2.03 Definitions B, Section 2.05 Definitions D, Section 2.07 Definitions F, Section 2.09 Definitions H, Section 2.14 Definitions M, Section 2.15 Definitions N, Section 2.19 Definitions S

PUBLIC HEARING OPEN 7:20 p.m.

Zoning Administrator Sandel explained these amendments to the definitions all relate to Floodplain Management.

CORRESPONDENCE

None

PUBLIC HEARING CLOSED 7:21 p.m.

Motion by Jan Deur, second from Leslie Sprott, **ADOPTED**, to recommend amendment to the Township Board of Trustees subject to technical amendments or corrections as determined by the Township Attorney.

**5 AYES
2 ABSENT
Josephson & Warner**

- 3. **Amend** Article XIX, Board of Zoning Appeals, Section 19.03 Duties and Powers, Section 19.08 Review Standards for Variances

PUBLIC HEARING OPEN 7:23 p.m.

Zoning Administrator Sandel explained these amendments will allow the Zoning Board of Appeals to hear and decide on matters relating to flood hazard area boundaries if in dispute.

CORRESPONDENCE

None

PUBLIC HEARING CLOSED 7:24 p.m.

Motion by Jan Deur, second from Leslie Sprott, *ADOPTED*, to recommend amendment to the Township Board of Trustees subject to technical amendments or corrections as determined by the Township Attorney.

**5 AYES
2 ABSENT
Josephson & Warner**

- 4. Amend Article XX, Administration and Enforcement, Section 20.07 Administrative Officials, Section 20.08 Permit Application**

PUBLIC HEARING OPEN 7:25 p.m.

Zoning Administrator Sandel explained these amendments allow the Zoning Administrator to administer and enforce the Floodplain Management Ordinance.

CORRESPONDENCE

None

PUBLIC HEARING CLOSED 7:26 p.m.

Motion by Jan Deur, second from Leslie Sprott, *ADOPTED*, to recommend amendment to the Township Board of Trustees subject to technical amendments or corrections as determined by the Township Attorney.

**5 AYES
2 ABSENT
Josephson & Warner**

OLD BUSINESS

1. Reports from Sub-Committees

- Fences, walls, hedges, berms and screens language in Lakefront Districts (sub-committee is Commissioners Warner, Sprott and Josephson)**

Zoning Administrator Sandel went over the proposed language amendments as follows:

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 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 and any fences, walls, hedges, berms or screens erected between the required front yard setback line 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

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 without first obtaining a zoning permit from the Zoning Administrator. There shall be an application fee established by the Township Board.

Consensus is to hold for other amendments, put on list of language ready for public hearing.

- **Zoning for Sylvan Beach (sub-committee is Commissioners Sprott, Thompson, Warner and representative from Sylvan Beach)**

Commissioner Sprott sent proposed language to Sylvan Beach for their review. They will get back with Commissioner Sprott when they have reviewed. The subcommittee would like to hold the Public Hearing when the Sylvan Beach owners are here.

- **Lakeside Inn (sub-committee is Chairperson Roesler, Commissioners Deur and Warner)**

Chairperson Roesler advised Planner Tim Johnson has provided draft language, the subcommittee met with Attorney Even today. Attorney Even is going to work from this draft and propose other language.

The Supervisor, Township Attorney and Lakeside Inn Attorney are working on a place hold agreement which has to be approved by the Township Board and that either party can cancel after thirty days which will allow them to continue as is allowing more time to work on this language. This agreement does not mean we agree necessarily. However, we are not going to stop them, and we will not take action unless Lakeside Inn does more than they are now. In essence, it is freezing time.

2. Master Plan Review

Commissioner Deur and Recording Secretary Dion will meet and after that the document should be ready to send out for review by Commissioners.

COMMISSIONERS COMMENTS

Zoning Administrator Sandel advised that Public Hearing will be held at the June meeting for applications for Site Plan Review for a proposed Dollar General and amendment to site plan for Parkland Acquisition (Michillinda Beach Lodge).

PLANNING/ZONING UPDATES

None

ADJOURNMENT

Motion by Leslie Sprott, second from Ina Ray, *ADOPTED*, to *ADJOURN* the May 6, 2015, regular meeting at 7:50 p.m.

5 AYES

2 ABSENT

Josephson & Warner

Respectfully Submitted,

Sally Dion, Recording Secretary