

PLANNING COMMISSION
Minutes for Regular Meeting of
June 7, 2018

PRESENT Commissioners Dave Roesler, Leslie Sprott, Ina Ray, John Warner, William Josephson, Tom Thompson and Mike Holman.

ALSO PRESENT Zoning Administrator Jensen, Recording Secretary Sally Dion and 0 interested parties.

CALL TO ORDER Chairperson Roesler called the June 7, 2018 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Commissioner Josephson, second from Commissioner Sprott, **ADOPTED**, to accept the agenda as written.

7 AYES

MINUTES Motion by Commissioner Sprott, second from Commissioner Holman, **ADOPTED**, to accept the April 5, 2018 minutes as written.

7 AYES

PUBLIC COMMENT - None

OLD BUSINESS

Ordinance Review

Chairperson Roesler advised he spoke with Attorney Even on the following Ordinances.

Article III General Provisions, Section 3.09 REGULATIONS APPLICABLE TO ALL SINGLE-FAMILY DWELLINGS (F).

F. The dwelling unit shall have a minimum horizontal dimension across any front, side or rear elevation of twenty-four (24) feet at time of manufacture, placement or construction.

Zoning Administrator Jensen was requesting clarification, he said if someone builds a home with an attached single stall garage it will not meet the minimum horizontal dimension.

After brief discussion consensus was that the way it is written only one of the following shall have a minimum horizontal dimension of twenty-four (24) feet, front, side or rear, not all of them.

According to Attorney Even the language is fine as written.

Zoning Districts - Uses Permitted by Right

Single Family Dwellings

Zoning Administrator Jensen asked if we should maybe amend this by striking the s from Dwellings. He has been asked if because it says Dwellings can they have more than one dwelling on a parcel.

Chairperson Roesler stated he believes the way this is written speaks to the entire District not one parcel. He advised he will make a note to check with Attorney Even on this matter.

According to Attorney Even the language is fine as written. Single Family Dwellings applies to the Article as a whole not a parcel of land.

Article III General Provisions, Section 3.07 PROJECTIONS INTO YARDS

- D. Eaves may project into any yard setback but shall not project into any such setback more than Twenty-Four inches.

Article III, General Provisions, Section 3.08 ACCESSORY BUILDINGS AND USES

- F. Setbacks for detached accessory buildings shall be measured to the eaves of the building.

Zoning Administrator Jensen stated he believes this is conflicting.

According to Attorney Even the language is fine as written. Section 3.07 Projections Into Yards applies to principal structures and Section 3.08 Accessory Buildings and Uses applies to accessory structures.

Zoning Administrator Jensen also stated that he would like clarification if a lean-to should be considered as part of the footprint.

It seems this was written incorrectly. The word footprint should have been square footage. Now the lean to is not included in the minimum square footage but still has to meet setbacks. Chairperson Roesler will talk with Attorney Even again about this one.

Article III, General Provisions, Section 3.22 TEMPORARY SALES

Article III, General Provisions, Section 3.22 RESIDENTIAL GARAGE/ BASEMENT/ YARD SALES

The **owner/occupant** of the principal single-family dwelling shall be entitled by right to hold two (2) garage/ basement/ yard sales per calendar year, not to exceed a maximum of three (3) consecutive days per sale.

There are two issues, the first being there are two Section 3.22, seeing they are similar topics it was suggested to make Temporary Sales A and Residential Garage/Basement/Yard Sales B. The other issue is maybe where it says owner/occupant it should be amended to say owner or occupant.

According to Attorney Even it would be fine to amend Section 3.22 Temporary Sales to Section 3.22A and Section 3.22 Residential Garage/Basement/Yard Sales to Section 3.22B and to amend owner/occupant to owner or occupant.

In Zoning Districts USES PERMITTED BY RIGHT

Family day care homes.
Family group care facilities.

USES PERMITTED BY SPECIAL LAND USE

Small group care facilities.

We do not have a definition of Family group care facilities. Definitions need to be reviewed and further discussion held.

Commissioner Sprott put together information on Definitions – D, F & S and also on individual Zoning Districts. D covers Day Care(s), F covers definition of Family and S covers State Licensed Residential Facility.

Chairperson Roesler will clarify with Attorney Even that maybe we just need to move the State Licensed Residential Facility definitions up under the Day Care(s).

Article III, General Provisions, Section 3.23 **NON-CONFORMING BUILDINGS, STRUCTURES AND USES**

E. Lots of Record.

4. In the Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Lake Michigan Shoreline (LMSD), Inland Lakes (ILD) and North Duck Lake Overlay (NDLOD) zoning districts, if two or more adjacent nonconforming vacant lots of record are held in common ownership, said lots shall be considered to be an undivided parcel for purposes of obtaining a zoning permit and shall be combined into a parcel (s) that has a lot width of at least 90 feet and a lot size of at least 50 percent of the minimum lot area required in the zoning district where the parcel (s) are located.

Zoning Administrator Jensen asks how come this is only for certain districts. Consensus was to discuss this further.

Chairperson Roesler will discuss this further will Attorney Even. Possibly we just need to add the Districts that were left out.

Zoning Administrator Jensen asks if temporary/tent structures should be considered as Accessory Buildings. He believes the existing definitions are vague, and that this type of structure needs a specific definition.

Attorney Even is looking further into the temporary/tent structures.

In Zoning Districts - **SITE DEVELOPMENT STANDARDS**

Minimum Dwelling Unit Floor Area	1,120 square feet GFA/960 square feet GFA on ground floor
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Commissioner Josephson asks why it is 960 square GFA on the ground floor. Why not 800 or another number?

Zoning Administrator Jensen also commented that most places have three categories, 1 story, 1 ½ stories and 2 stories.

Consensus of all Commissioners is these issues will require research and further discussion.

Discussion was held on adding language for 1 story, 1 ½ stories and 2 stories. Consensus is that if someone has a question they can be directed to the definition for Floor Area, Gross (GFA).

Commissioner Josephson stated he was hoping to see the 1,120 and 960 square feet GFA lowered.

Recording Secretary Dion advised those square footages were on a Ballot and voted for. She will try and find out when that took place.

PLANNING/ZONING UPDATES

Commissioner Warner advised that the Zoning Board of Appeals met on April 9, 2018 for one application.

ADJOURNMENT

Motion by Commissioner Holman, second from Commissioner Warner,
ADOPTED, to **ADJOURN**, the June 7, 2018 regular meeting at 7:45 p.m.

7 AYES

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland