

PLANNING COMMISSION
Minutes for Regular Meeting of
April 4, 2019

PRESENT Commissioners Dave Roesler, Leslie Sprott, Ina Ray, William Josephson and Mike Holman.

ALSO PRESENT Zoning Administrator Val Jensen, Recording Secretary Sally Dion and 2 interested parties.

NOT PRESENT Commissioners John Warner and Maribeth Picard.

CALL TO ORDER Chairperson Roesler called the April 4, 2019 meeting to order at 6:30 p.m. and led those in attendance in the Pledge of Allegiance.

AGENDA Motion by Commissioner Sprott, second from Commissioner Josephson, **ADOPTED**, to amend the agenda by adding New Business (Changing meeting time) and comment at the end by previous Commissioner Thompson and accepted as amended.

5 AYES
2 ABSENT

NOMINATIONS:

Motion by Commissioner Josephson, second from Commissioner Sprott, **ADOPTED**, to nominate David Roesler as Chairperson, John Warner as Vice Chairperson and Leslie Sprott as Secretary.

5 AYES
2 ABSENT

Motion by Commissioner Josephson, second from Commissioner Sprott, **ADOPTED**, to close nominations and to elect Dave Roesler as Chairperson.

5 AYES
2 ABSENT

Motion by Commissioner Josephson, second from Commissioner Sprott, **ADOPTED**, to close nominations and elect John Warner as Vice Chairperson.

5 AYES
2 ABSENT

Motion by Commissioner Josephson, second from Commissioner Ray, **ADOPTED**, to close nominations and elect Leslie Sprott as Secretary.

5 AYES
2 ABSENT

MINUTES Motion by Commissioner Sprott, second from Commissioner Josephson, **ADOPTED**, to accept the December 6, 2018 minutes as written.

5 AYES
2 ABSENT

PUBLIC COMMENT

None

OLD BUSINESS

- **Ordinance Review**

Consensus after review was to send the following Articles/Sections to Attorney Even for review and comment.

Article II, DEFINITIONS, Section 2.02 Accessory Building – **Amend**

Article II, DEFINITIONS, Section 2.05 Day Care – **Amend**

Article II, DEFINITIONS, Section 2.19 State Licensed Residential Facility – **Strike**

Article III, GENERAL PROVISIONS, Section 3.31 Average Setback Lines, (D.) Rear (Shoreline) – **Amend**

Article IV, RR, RURAL RESIDENTIAL DISTRICT, Section 4.02 Uses Permitted by Right (C.) (D.), Section 4.03 Uses Permitted by Special Land Use (B.) (L.) – **Amend**

Article V, LDR, LOW DENSITY RESIDENTIAL, Section 5.02 Uses Permitted by Right (B.) (C.), Section 5.03 Uses Permitted by Special Land Use (A.) (B.) – **Amend**

Article VI, MDR, MEDIUM DENSITY RESIDENTIAL, Section 6.02 Uses Permitted by Right (B.) (C.), Section 6.03 Uses Permitted by Special Land Use (A.) (B.) – **Amend**

Article VIa, LAKE MICHIGAN SHORELINE DISTRICT, Section 6.02a Uses Permitted by Right (B.) (C.), Section 6.03a Uses Permitted by Special Land Use (C.) (D.) – **Amend**

Article VII, MEDIUM HIGH-DENSITY RESIDENTIAL DISTRICT, Section 7.02 Uses Permitted by Right (B.) (C.), Section 7.03 Uses Permitted by Right (D.) (E.) – **Amend**

Article VIII, HIGH DENSITY RESIDENTIAL DISTRICT, Section 8.02 Uses Permitted by Right (C.) (D.), Section 8.03 Uses Permitted by Special Land Use (A.) (C.) – **Amend**

Article VIIIa, INLAND LAKES DISTRICT, Section 8.03a Uses Permitted by Right (A.) (B.), Section 8.04a Uses Permitted by Special Land Use (A.) (B.) – **Amend**

Article VIIIb, NORTH DUCK LAKE OVERLAY DISTRICT, Section 8.03b Uses Permitted by Right (B.) (C.), Section 8.04b Uses Permitted by Special Land Use (C.) (D.) – **Amend**

Article IXa, OPEN SPACE PLANNED UNIT DEVELOPMENT (OS-PUD), Section 9.06a Permitted Uses (D. 2.), Section 9.07a Uses Permitted by Special Land Use (D.) – **Amend**

Article IX MHP, MANUFACTURED HOME PARK DISTRICT, Section 9.02 Permitted Uses (E.), Section 9.03 Uses Permitted by Special Land Use (D.) – **Amend**

Article XIV, SPECIAL LAND USES, Section 14.04 Special Land Use Specific Requirements, (M. 1., 3., 4., 12.) Group and commercial day care homes and facilities – **Amend**

- **Fence Sub-committee Update**

Chairperson Roesler, Commissioner Josephson and Zoning Administrator Jensen met and discussed the Fence ordinance. Zoning Administrator Jensen provided some proposed language for discussion. During discussion Zoning Administrator Jensen voiced several concerns about the existing fence ordinance. He believes it is next to impossible to regulate trees, shrubs and vegetation so that should be removed from the ordinance. Attorney Even believes we should regulate. Chairperson Roesler thinks the Planning Commission should discuss further and decide. Zoning Administrator Jensen believes separating Lake Front and Non-Lake Front parcels would make it easier to enforce. He also advised if a fence is over 7' it requires a building permit. As of now on Lakefront Lots the fence ordinance states "Such fences must be a minimum 50% open space through which light can penetrate, for example: cyclone fence, lattice, picket or split-rail". Some people want privacy and some already have it, how can we not allow others? What happens if someone creates a berm and then puts a fence

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on it, the way we measure now they could have a fence exceeding we what we allow. A suggestion was made to add language regarding changing grade.

Chairperson Roesler, Commissioner Josephson and Commissioner Warner if he is available will meet with Zoning Administrator Jensen again for further discussion. Chairperson Roesler asked the other Commissioners to review the proposed language and give input.

- **Meeting Time**

Motion by William Josephson, second from Mike Holman, **ADOPTED**, to change the Planning Commission meeting time to 6:00 p.m.

**5 AYES
2 ABSENT**

PLANNING/ZONING UPDATES

Zoning Administrator Jensen brought to the attention of the Commissioners he believes the Inland Lakes District needs to be reviewed as far as stairs/landings. They are not addressed like they are in the Lake Michigan Shoreline District. He has an application that needs to be denied with this being one of the issues.

COMMISSIONERS COMMENTS

Commissioner Josephson brought to the attention of the Commissioners that Dennis Hughes, owner of the White Duck, purchased the old Pickle Barrel building and is looking to see what is allowed. His intention is to sell merchandise, ie: towels, shirts, hats, etc.

Past Commissioner Tom Thompson wanted to thank everyone for serving with him all these years, he appreciates everyone.

ADJOURNMENT

Motion by Commissioner Josephson, second from Commissioner Holman, **ADOPTED**, to **ADJOURN**, the April 4, 2019 regular meeting at 7:55 p.m.

**5 AYES
2 ABSENT**

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland