

PLANNING COMMISSION
Minutes for Regular Meeting of
August 3, 2023

PRESENT Commissioners Dave Roesler, John Warner, Paul Josephson, Mike Holman, Chris Campeau and John Gloster.

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

CALL TO ORDER Chairperson Roesler called the August 3, 2023 to order at 6:00 p.m.

AGENDA Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, accept the agenda as written

6 AYES

MINUTES Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to accept the April 6, 2023 Regular Meeting Minutes as written.

6 AYES

PUBLIC COMMENT

1. Steve Mark, Michigan's Adventure, 4750 Whitehall Road, stated he has been advised by Tridonn Construction Company that a project they proposed needs Site Plan Review. The proposed project is a wood walk across the pond 3' off the water. He figured with being in the Amusement Park District this might be exempt from Site Plan Review.

Chairperson Roesler stated the ordinance does not exempt this type of project. He asked Zoning Administrator Jensen for his input.

Zoning Administrator Jensen referenced the following Articles and Sections indicating the proposed project will require Site Plan Review. The project does fall under Uses Permitted by Right; however, it is not exempted under Site Plans Reviewed.

Article XIII Amusement Park District

Section 13.02 Uses Permitted by Right

- A. Amusement parks and related uses including but not limited to the service of providing rides, games, displays, playgrounds, zoos or aviaries, and theatrical performances, for the purposes of amusement and entertainment, as well as the sale of food, beverage, gifts, and other ancillary and accessory goods customarily incidental to an amusement park, with hours of operation 9am – 11pm.

Article XV Site Plan Review

Section 15.02 Site Plans Reviewed

- A. All Permitted Uses, including the construction of a building addition, shall require a Site Plan Review except those specifically excepted; these are limited to single-family and two-family

FRUITLAND TOWNSHIP PLANNING COMMISSION August 3, 2023 REGULAR MEETING MINUTES

dwelling, agricultural uses, family day care homes, family group care facilities, home occupations and Wind Energy Systems under 65 feet.

Consensus of all Commissioners is to schedule a public hearing for Site Plan Review as soon as possible. Recording Secretary Dion will confirm that the meeting and those within 300' of property must be noticed no less than 15 days prior to the meeting. She will then contact Commissioners to see what date will work for everyone.

Steve asked if the Site Plan Review will require review by all entities listed. He was advised it will require review by only those entities the project involves.

NEW BUSINESS

1. Maximum Building Height for all zoning districts

Zoning Administrator Jensen presented issues with the existing ordinance language regarding Maximum Building Height. Rural Residential, Low Density Residential and Medium Density Residential have different ways of measuring the thirty-five feet (35) feet than the Medium High Density Residential, High Density Residential, Inland Lakes District and Lake Michigan Shoreline District do.

Chairperson Roesler stated maybe it was this way because the Rural Residential, Low Density Residential and Medium Density Residential are bigger lots.

Consensus is to amend the Article VI Rural Residential, Article V Low Density Residential and Article VI Medium Density Residential zoning districts Site Development Standards to read as follows:

Maximum Building Height	Thirty-five (35) feet measured from the average grade.
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Motion by Commissioner Warner, second from Commissioner Holman, **ADOPTED**, to set public hearing. **6 AYES**

2. Amendment to add maximum garage size in all zoning districts

Chairperson Roesler explained that if a person is not building an Accessory Building without this amendment, they are not going to know about the maximum size not to exceed 1,000 sq feet for an attached garage.

Consensus is to amend all zoning districts site development standards to read as follows:

Minimum Dwelling Unit Floor Area and maximum garage size.	1120 square feet GFA/ 960 square feet GFA on ground floor. In addition to the accessory buildings and structures permitted herein, each single-family and each two-family dwelling may provide one garage for use by the occupants of each dwelling unit. The garage may be attached to the dwelling or detached from the dwelling. The maximum size of such garage shall not exceed 1,000 square feet.
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Motion by Commissioner Warner, second from Commissioner Campeau, **ADOPTED**, to set public hearing. **6 AYES**

OLD BUSINESS

- 1. Discussion on Article II, Section 2.19 Definitions – S (Streets) and Zoning District(s) Front Yard Setback language.

Zoning Administrator explained in the Rural Residential District and Low-Density Residential District it is One-hundred (100) feet on arterial and residential streets or less if the average setback requirements apply. See General Provisions (Average Setback Lines). All other districts are One-hundred (100) feet on arterial streets and fifty (50) feet on residential streets or less if the average setback requirements apply. See General Provisions (Average Setback Lines).

Consensus is to amend Article IV Rural Residential and Article V Low Density Residential site development standards to read as follows:

Front Yard Setback	<p>One-hundred (100) feet on arterial streets and fifty (50) feet on residential streets or less if the average setback requirements apply. See General Provisions (Average Setback Lines).</p> <p>For corner lots, the side setback facing the street shall be fifty (50) feet.</p>
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Motion by Commissioner Warner, second from Commissioner Campeau, **ADOPTED**, to set public hearing. **6 AYES**

- 2. Solar Farm Ordinance

Chairperson Roesler stated that he had Recording Secretary Dion send them all a copy of the draft White River Township ordinance regarding solar panels, solar energy systems, and related uses and matters. He believes this document can be used as a starting point, asks commissioners to think about other things we may need for language. We need to have regulations to control not prevent, please use as a reference.

Commissioner Warner went to a conference, he will provide information he got, there is a lot to consider for these, they have a lifespan, need to have something in place to get rid of when they expire, decommission, maybe require removal process fee/bond filed.

Chairperson Roesler said he is still trying to get in contact with Attorney Even regarding the definition for Grade. He will update when he can.

PLANNING/ZONING UPDATE

Commissioner Warner advised they had a meeting last month for a proposed 2,400 sq ft attached garage, variance was denied.

COMMISSIONER COMMENTS

Chairperson Roesler advised there is still an opening for a commissioner if anyone knows of anyone that might be interested.

FRUITLAND TOWNSHIP PLANNING COMMISSION August 3, 2023 REGULAR MEETING MINUTES

Chairperson advised he will be gone on the regular scheduled date of September meeting. Consensus was to move the September meeting to September 14th. Recording Secretary Dion will post and have changed on website.

Commissioner Campeau advised that Mason County requirements state anything above grade needs to be finished, trim, flooring, etc.

PUBLIC COMMENT

1. David Split, 2611 W. Fruitport Road, Spring Lake, Mi, stated he is interested in purchasing a building located on the corner of Riley Thompson/Whitehall Road in the Neighbor Commercial District. He said it is a 2 ½ story building. He would like to maybe do an Assisted Living on the main floor, Condominiums or keep for a Clubhouse.

Chairperson Roesler suggested he work with Zoning Administrator Jensen to see what is allowed either as a Use by Right or Use by Special Land Use for this parcel of land.

ADJOURMENT

Motion by Commissioner Holman, second from Commissioner Warner, **ADOPTED**, to adjourn the August 3, 2023 regular meeting at 7:00 p.m.

6 AYES

Respectfully Submitted,

Sally Dion, Recording Secretary
Township of Fruitland