

Lake Township Planning Commission

Regular Meeting

September 28, 2016

Approved Minutes

The meeting was called to order at 6:02 p.m. by Chairman Jerry Pobanz.

The Pledge of Allegiance was recited.

Roll Call: Jerry Pobanz, Nicole Collins, Bob Siver, Todd Gordon and Clay Kelterborn were all present.

Motion made by Collins to approve the August 24, 2016 minutes, seconded by Siver. All ayes-passed.

Motion made by Siver to accept the agenda with the amendment of correspondence being listed after old business, seconded by Gordon. All ayes- passed.

Old Business:

Mark Eidelson of LANDPLAN stated that they would be starting with the April 6 correspondence, page 13 #13.

#13 Fencing,

Section 1201.8 addresses fences and walls. It was recommended that the Zoning Administrator be the approving body for residential fences and walls, but the Township Board be the approving body for fences and walls in association with commercial, industrial and other uses subject to site plan approval, PC members agreed. The members also agreed that fences constructed within 10' or 20' of a lot line should have the side of the fence exposed with structural elements facing away from the adjacent property. The members discussed fences on the beach and came to agreement that fences are not to extend past the side of the house facing the beach. The PC members also agreed to get rid of the 3' minimum height for a fence (Section 1201.8 H-1) restrict fences in the front yard to be no higher than 4' in height, and have clear vision corners so it doesn't obstruct vision.

#14 Shared Driveways and Private Roads, Chapter 17

Sec.1703

- a) Does not currently require a submittal of a shared driveway application or specify the review for such a proposal, PC members agreed there needs to be standards for shared driveway.

- b) Currently permits shared driveways in association with single-family lots only, compared to two-family lots or a four-unit townhouse building, PC members agreed not to specify... use dwelling units.
- c) Currently establishes no minimum standards for shared driveways for vertical/horizontal grades, storm water management or cross-sectional construction standards. PC members agreed the new zoning ordinance should include expanded standards for shared driveways.
- d) Currently permits shared driveway and private road drivable surface widths of 12' to 16', the international fire code requires minimum 20'-wide surface widths. The PC members agreed that the drivable surface widths should be 20' private road and 16' shared driveways. (Not existing shared driveways or private roads, only new).
- e) Currently sec. 1706.2 identifies the Zoning Administrator as the approving body of private roads. Mark Eidelson recommends that the Township Board be the final approving body as with other uses requiring site plan review. PC members agree there should be a private road application and then follow the same special use process.
- f) Currently sec. 1703 and 1706 permit minimum 33' to 40' wide road easements which frequently do not facilitate adequate maintenance of the road without trespassing onto private property to establish necessary grading and drainage measures, and precludes the access way from every becoming public. Eidelson suggested the new ordinance provide for minimum 66' easement widths, PC members agreed.
- g) Additional issues for shared driveways and private roads- maintaining them with standards on applications for new shared driveways and private roads.

#15 Junk, Sec. 1203.9

Mark Eidelson suggested officials consider addressing this matter outside of the new Zoning Ordinance. The issue of junk and noxious weeds is more directly tied to general nuisance law, Eidelson suggested these things be addressed through a separate police power, PC members agreed.

#16. Outdoor Storage, Sales, and Merchandise Display

The PC members agreed that the new Zoning Ordinance should address these issues. The planning members also agreed to the example of regulations provided by Eidelson.

Example:

Display and Sales: Outdoor display or sales of materials and products in association with a commercial or industrial use is prohibited except where expressly authorized pursuant to an approved site plan. Such display or sales area shall not extend into a required setback for the principal building. The maximum permitted outdoor display or sales area shall be ten percent (10%) of the uses indoor retail sales floor area except that this limitation shall not apply to the display and sales of plant nursery stock, motor vehicles, items intended for tow, or other items customarily requiring outdoor display.

1. Nothing in this subsection shall prohibit a commercial use dedicated principally to retail sales from displaying items for sale provided the display items do not extend more than five (5) feet from the wall of a building dedicated to such use and shall not exceed five (5) feet in height.

The PC members went on to discuss lot coverage and building coverage from a previous meeting and decided not to use a specific percentage. Eidelson questioned two front yards on lake front lots. He suggested M-25 (Port Austin Road) be the front yard and the lake or water front side of lot be the rear yard. He continued to suggest that when dealing with accessory buildings on the water front side that the new ordinance state, no accessory buildings on waterfront side, adjacent to a lake. PC members agreed. There was a short discussion on new driveways and how they need to be on the site plan and how they need approval from the Zoning Administrator.

The PC members discussed the questions they had from the previous meeting (September) with Mark Eidelson from LANDPLAN.

Eidelson discussed how he would be sending the second part of the ordinance in the next couple of weeks. He told the PC members to make sure they read the cover letter, it will summarize the new second portion and the differences between the new and current zoning ordinances. He then explained that he will continue working on the last portions of the ordinance and will be available if needed.

Correspondence:

The PC members decided to put the Firewood Sales Amendments to current zoning ordinance on next month's agenda and to contact Mark Eidelson with any changes.

Short discussion on commercial vehicles- Eidelson suggested that he could include a draft provision for the new ordinance, PC members agreed with this.

Valerie McCallum questioned renting cottages in single family districts, Eidelson stated that it is allowed.

Motion made by Gordon to adjourn the meeting, seconded by Kelterborn. All ayes-passed.

Motion adjourned 9:05 p.m.

Next meeting October 26, 2016 @ 6:00

Submitted by Kim Simpson.