

Chair
Tim Fair
Vice-Chair
Bruce Keilen
Secretary
Linda Parkinson-Gray
Commissioners
Trustee Fedewa
Dale Dailey
Adam Bertram
Erika Hayes
Abby Lorenzen
Mike Nolen



Community Development Director
Brett C. Wittenberg

Planner
Vacant

Recording Secretary
Kelli Furgason

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PLANNING COMMISSION MINUTES

MONDAY, NOVEMBER 7, 2022
7:00 p.m.

Public may choose to attend in person or listen at the phone number below.

Meeting Dial-In: (623) 600-3750
PIN: 346832

The call will be muted to reduce interference with proceedings. The public will be invited to make comments during the public comment sections of the meeting as well as before any vote. If you desire to comment, you will be invited to dial 5 so that we can unmute your line. Please contact the Planning Department at (517) 669-6576 with any additional questions.*

The regular meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 p.m. by Chairman Fair.

The Pledge of Allegiance was said by those present.

ROLL CALL by Secretary Linda Parkinson-Gray.

MEMBERS PRESENT: Bertram, Dailey, Fair, Hayes, Keilen, Lorenzen, Nolen, and Parkinson-Gray.

MEMBERS ABSENT: Fedewa.

APPROVAL OF AGENDA: **Lorenzen moved to approve the meeting Agenda. Supported by Bertram.**

AYE Vote on the motion:

AYES: 8 NAYS: 0 ABSENT: 1

MOTION CARRIED

APPROVAL OF MINUTES: **Keilen moved to approve the October 3, 2022 minutes as presented. Supported by Lorenzen.**

AYE Vote on the motion:

AYES: 8 NAYS: 0 ABSENT: 1

MOTION CARRIED

CORRESPONDENCE: None

PUBLIC COMMENTS: None

UNFINISHED BUSINESS:

I. Batch Ordinance Amendment 22-1 Accessory Dwelling Units and Home Occupations

Community Development Director & Planner Brett Wittenberg noted that before the Commission is the batch ordinance amendment that was originally brought to the Commission back in April. At the August meeting, the Commission did not raise any concerns with the Home Occupation portion, however, there were a number of questions / concerns regarding the Accessory Dwelling Units (ADU's) portion.

Wittenberg gave a brief synopsis of the questions / concerns raised by Commissioners which included:

1. Reasoning for consideration of allowing accessory dwelling units.
2. Requirement that the property owner occupy either the primary or accessory dwelling unit and how that is enforced.

In regards to item 1 above, one of the goals and objectives of the Comprehensive Development Plan is to provide quality housing and neighborhoods for all and one of the zoning action items is to explore ordinance changes to permit small attached accessory dwelling units with single-family homes.

In regards to item 2 above, staff has had discussions with legal counsel and has done further research on the various communities that allow ADU's. Wittenberg noted that of the eight communities that were researched, all required some type of deed restriction or declaration regarding ownership and occupancy of the primary residence or ADU. In regards to enforcement, six of the communities either had some type of licensing requirements or a rental inspection program.

In light of the additional research and discussion with legal counsel, staff is of the opinion that it may be beneficial to defer consideration of the ADU portion of the proposed ordinance amendment until such time that the Township has the tools in place (i.e., rental inspection program or licensing requirement) to better regulate ADU's.

As such, staff provided a revised ordinance that address home occupations only and recommends that the Planning Commission recommend that the Township Board approve Ordinance 22-1 for Home Occupations.

Chairman Fair asked if there were any Commissioner questions for staff.

Commissioner Hayes questioned subsection E, item k which reads “reserved”.

Wittenberg stated that if we come back and do another amendment another prohibited item could be added there. He also noted that it can be removed if the Commission desires.

Commissioner Betram asked if it can be removed without affecting the ability to make changes moving forward.

Wittenberg noted that it can be.

Commissioners agreed to remove that item from the amendment.

Commissioner Dailey questioned “group dancing class” and noted that there are other group type class like yoga and wondered how this is different from those.

Lorenzen stated that a dance class would include more noise.

Wittenberg noted that group dance classes are allowed under special use permit in other zoning districts. He also noted that the ordinance can’t capture all types of uses.

Lorenzen questioned how items like Mary Kay and so on are handled as they are not items made by the home owner.

Wittenberg stated that the Township doesn’t consider those to be home occupations.

Lorenzen noted that she found an obvious grammatical issue on page 3 but isn’t able to find it at this time.

Chairman Fair asked if there were any other questions. There were not.

Chairman Fair asked if there were any public comments from those present in-person or joining remotely. There were none.

Keilen moved that the Planning Commission recommend that the Township Board approve Ordinance 22-1 based on the finding that the proposed amendment complies with the process for amending the Zoning Ordinance. Supported by Lorenzen.

ROLL CALL Vote on the motion:

AYES: 8 NAYS: 0 ABSENT: 1

MOTION CARRIED

NEW BUSINESS:

None

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: (Must be made from the podium)

There were none.

REPORTS:

- I. **Trustee:** Trustee Fedewa was not in attendance so Community Development Director Wittenberg gave a brief report on business conducted and actions taken at recent Board of Trustees meetings including the 2023 budget approval and updates on the ongoing enforcement cases in the Township.
- II. **Zoning Board of Appeals:** Bertram noted that there was no meeting in October and none for November.
- III. **Committees & Staff:** Wittenberg gave a brief report on continuing and upcoming items including the Webb Road Pathway project Open House, ongoing enforcement cases with Town & Country Motel and Rotunda Mobile Home Park, and the Townships possible applications for the MI Sparks Grant.

Wittenberg also noted that at this time, there are no applications for the December meeting. The only item he is aware of that may come in is a receive & set for a Special Use Permit. If that application comes in, the ordinance does allow the Planning Commission Chairman to waive the receive & set requirement, so he will work with Chairman Fair to keep the process moving along for the applicant.

DISCUSSION:

There was general discussion on the ongoing enforcement timeline and options in regards to the Town & Country Motel.

ADJOURNMENT: Keilen moved to adjourn the meeting at 7:30 p.m. Supported by Lorenzen. MOTION CARRIED

Public Participation Policy:

1. Public comments on agenda items shall be limited to 3 minutes. Any citizen may address the Planning Commission regarding any Agenda item at this time or they may reserve time to address the Board when an Agenda item is discussed.
2. Extended public comments – limited to 5 minutes. Any topic of Township interest can be addressed.

DeWitt Charter Township will provide to individuals with disabilities reasonable auxiliary aids and services which are needed to fully participate in any Township meeting providing a seventy-two (72) hour notice is received by phone or in writing. Contact DeWitt Charter Township, Clerk's office, 1401 W. Herbison Road, DeWitt, MI 48820, phone: 517.668.0270, to request the necessary assistance.

Kelli Furgason, Recording Secretary

Linda Parkinson-Gray, Secretary

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