

Chair
Adam Bertram
Vice-Chair
Bruce Keilen
Secretary
Tim Fair
Commissioners
Steve Musselman, Trustee
Dale Dailey
Marsha Zimmerman
Steve Gobbo
Abby Lorenzen
Kristen Krol



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Township Planner
Tory Niewiadomski

Township Planner
Brett Wittenberg

Recording Secretary
Linda K. Parkinson

**PLANNING COMMISSION
MINUTES
MONDAY, MAY 5, 2014
7:00 p.m.**

The regularly scheduled meeting of the DeWitt Charter Township Planning Commission was called to order at 7:00 by Chairman Bertram.

ROLL CALL by Recording Secretary Linda Parkinson

MEMBERS PRESENT: Adam Bertram, Dale Dailey, Abby Lorenzen, Kristen Krol, Steve Gobbo, Marsha Zimmerman, Trustee Musselman.

MEMBERS ABSENT: Tim Fair and Bruce Keilen.

APPROVAL OF AGENDA: Musselman moved to approve the Agenda as presented. Supported. MOTION CARRIED.

APPROVAL OF MINUTES Krol moved to approve the minutes of the April 7, 2014 meeting. Supported. MOTION CARRIED.

CORRESPONDENCE: None.

PUBLIC COMMENTS: None.

UNFINISHED BUSINESS:

- I. CANCELLATION OF MAY 5, 2014 PUBLIC HEARING AND RESET PUBLIC HEARING FOR MONDAY, JUNE 2, 2014.** Proposed Ordinance Amendment 42.3 to amend the DeWitt Charter Township Zoning Ordinance to amend Chapter 42, Article V, to add Division 6, to add Commercial Corridor Overlay Districts; to add Section I entitled "Commercial Corridor Overlay Zoning District No. 1" as the first overlay district; to establish individual commercial corridor overlay district boundaries; to describe the intent and purpose of each district and its standards and applicability; to delineate data required for approval and site plan requirements within each district; and to provide an effective date hereof.

Assistant Planner Niewiadomski stated the Proposed Ordinance Amendment 42.3 is not only a text amendment but also a map amendment. This would require staff to notice all property owners within the proposed district, as well as owners within 300 feet of the district boundary. In order to comply with the Planning and Zoning Enabling Act the notification must be within 15 days of the Public

Hearing. In order to meet the requirement the Public Hearing scheduled for tonight must be cancelled and reset for the June 2, 2014 Planning Commission meeting.

Gobbo moved that the Public Hearing for Proposed Ordinance Amendment 42.3 to be held on Monday, May 5, 2014 be cancelled and reset for the next meeting of the Planning Commission to be held on Monday, June 2, 2014. Supported. MOTION CARRIED.

II. PUBLIC HEARING - Proposed Ordinance Amendment 42.4 to amend the DeWitt Charter Township Zoning Ordinance to amend Chapter 42, Article VIII, Section 42-1288 to permit additional exemptions from sign permits to the sign ordinance regulations; to amend the definition of Lot, Front of, and Family; to add regulations for donation boxes; to repeal ordinances in conflict herewith; and to establish an effective date hereof.

A. Open Public Hearing. Chairman Bertram declared the Public Hearing opened at 7:08 p.m.

B. Administrative Comments/Applicant Comments/Public Comments.

Assistant Planner Brett Wittenberg briefly reviewed staff's memorandum dated May 1, 2014 explaining the proposed amendments to Chapter 42, Article VIII, Section 42-1288 to permit additional exemptions from sign permits to the sign ordinance regulations; to amend the definition of Lot, Front of, and Family; and to add regulations for donation boxes.

With respect to sign exemptions, Wittenberg noted at the last Comp Plan Update, the Township amended the Comprehensive Development Plan to provide gateway corridor improvements. The concept of branding the community and promoting DeWitt Township has been discussed to implement wayfinding type signage along key corridors in the Township. To best address this, staff had put together language to exempt municipal signage from sign permit requirements. In addition, the Township Board has directed staff to look at exempting temporary signage promoting community oriented events. Staff has put together language to address this as well.

The second Proposed Amendment relates to "Definitions". Wittenberg advised that within the past two years, staff has encountered an issue with making a determination for the rear yard in the case where there are more than two street frontages for a residential lot. The Board of Appeals recommended that the issue be addressed at the Planning Commission to amend the ordinance for interpretation purposes. Staff has addressed the definition for lot, front of, to adequately designate a primary front yard and thereby determine a rear yard. This language allows staff discretion to make that determination in a circumstance when the ordinance language is not clear.

Wittenberg also noted staff has become aware of scenarios of individuals wanting to add secondary kitchen facilities to their home such as a basement to include a wet bar, ovens, refrigerators or other culinary type improvements. Due to ordinance language and previous interpretations, it has been determined that a single family home cannot have more than one culinary facility in a home due to the definition of family. Family, as defined in the ordinance, is characterized as a single housekeeping unit with single culinary facilities. Staff has put forth language to address this issue by striking the word single from the definition.

Lastly, the final proposed amendment relates to regulating "Donation Boxes". Wittenberg noted over the last several years, donation boxes have started showing up on properties across the nation as well as local communities such as DeWitt Township. Staff feels that regulation through the Zoning Ordinance and a defined application process is the best approach to

address the containers. By regulating the location, placement, and manner of these structures, the Township can regulate how and where these donation boxes can be placed within the community. In closing, Wittenberg noted the donation boxes would be allowed as an accessory use and are not permitted as the sole use on a lot.

Discussion and possible action by Planning Commission.

Gobbo questioned who would decide the appropriateness of proposed artwork to be placed within the Township.

Wittenberg advised any municipally sponsored art would be reviewed by the Board of Trustees.

Brief discussion followed regarding the possibility of modifying the term “domestic servant”, as used in the definition of “Family”.

Hearing no further comments, Chairman Bertram invited public comments.

There were no public comments.

Musselman moved to close the Public Hearing at 7:22. Supported. MOTION CARRIED.

Musselman moved that the Planning Commission recommend to the Board of Trustees approval of Proposed Ordinance Amendment 42.4 to amend the DeWitt Charter Township Zoning Ordinance to amend Chapter 42, Article VIII, Section 42-1288 to permit additional exemptions from sign permits to the sign ordinance regulations; to amend the definition of Lot, Front of, and Family; to add regulations for donation boxes; to repeal ordinances in conflict herewith; and to establish an effective date hereof. Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Fair, Keilen)
MOTION CARRIED.

NEW BUSINESS:

- I. Request for Special Use Permit 14-990001 from Paula J. Yingling and Daniel S. Yingling, to allow a proposed 20’x18’ addition to the existing residential home located at 1414 LaCosta Drive, DeWitt, MI 48820, Lot #108 of Oakland Hills Subdivision, as a beauty shop.**

Gobbo moved to receive Request for Special Use Permit 14-990001 from Paul J. Yingling and Daniel S. Yingling and set for a Public Hearing to be held on Monday, June 2, 2014. Supported. MOTION CARRIED.

- II. Sidewalks/Complete the Streets – Ordinance Discussion**

Assistant Planner Niewiadomski briefly reviewed staff’s memorandum dated May 1, 2014. He noted at the last Joint Meeting of the Planning Commission and Board of Trustees it was discussed that one of the high priorities of the Township is to amend the existing Township Sidewalk Ordinance to be

consistent with what is being proposed in the Non-Motorized Transportation Plan. The purpose of having discussion on this subject is to have the Planning Commission be onboard with the process of moving forward with any possible amendments and to discuss items that should be included within the Ordinance Amendment.

Staff presented the following four options for the consideration of the Planning Commission:

1. Staff Draft Ordinance
2. Reestablish Non-Motorized Committee to Develop Language
3. Establish Ordinance Committee (PC, BOT and Staff)
4. Hire Consultant

After lengthy discussion the following action was taken:

Gobbo moved that the Planning Commission recommend that the Board of Trustees approve the process for amending the Ordinance with the following provision:

1. **That staff begin drafting ordinance language for input and consideration for the Planning Commission with an option of possible assistance from an Ordinance Committee that may include members from the Non-motorized Transportation Committee. This recommendation may include the consideration of hiring a consultant, if deemed necessary.**

Supported.

ROLL CALL vote on motion:

AYES: 7 NAYS: 0 ABSENT: 2 (Fair, Keilen)

MOTION CARRIED.

EXTENDED PUBLIC COMMENTS ON NON-AGENDA ITEMS: None.

REPORTS:

I. Trustee:

Trustee Musselman gave a brief report on business conducted and action taken at the regularly scheduled meetings of the Board of Trustees held on April 14, 2014 and April 28, 2014.

II. Zoning Board of Appeals:

Gobbo advised there was no Board of Appeals meeting held in the month of April.

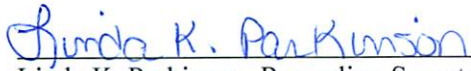
III. Committees: None.

IV. Staff: None.

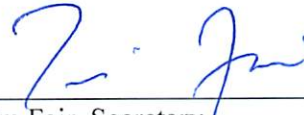
DISCUSSION: None.

ADJOURNMENT:

Gobbo moved to adjourn the meeting at 8:20 p.m. Supported. MOTION CARRIED.



Linda K. Parkinson, Recording Secretary



Tim Fair, Secretary