

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
November 18, 2009

Chairman Duane Putnam called the November 18, 2009 regular meeting of the Eureka Charter Township Planning Commission to order at 7:05 p.m. Roll call found Putnam and Commissioners Michael Blanding, Shawn Decker, Lee Gilman, Candace Larkin and Rodney Roy present and Commissioner Joyce Sage absent and excused. Thomas Faussett, Township Planning Advisor, and Laura Shears, Township Supervisor, were present. There were no audience members.

Minutes of the October 21, 2009 regular meeting were reviewed. Motion by Gilman, supported by Roy, to approve the minutes as submitted, motion carried.

There were no public comments during the time allotted for public comment on non-agenda items.

At 7:10 p.m., Putnam opened a Public Hearing to receive input on adding Chapter 18, Wind Energy Systems, to the Township Zoning Ordinance. Hearing no public comment, Putnam closed the Public Hearing at 7:11 p.m. Commissioners discussed a portion of a list of suggested changes from Faussett and Assessor Linda Miller. Due to the length of the list, Commissioners decided to reconvene the Wind Energy Systems subcommittee on Wednesday, December 2, 2009 at 7 p.m. They will go over the suggested changes and report back to the Planning Commission at the December 16, 2009 regular meeting. In the meantime, Faussett will check with Ottawa County to see why their wind energy ordinance only allows installation of upwind turbines. Another Public Hearing will need to be set before any action is taken since language has been substantially changed.

Commissioners discussed the final draft of the revised Master Plan from Mark Eidelson of LandPlan, Inc. Faussett gave a copy of the final draft to County Commissioner Tom Lindeman; he had some suggested comments and suggestions that were reviewed. Commissioners were agreeable to some of the suggestions. Faussett will forward those changes to Eidelson. The Planning Commission should see a final copy in December that can be recommended to the Township Board if it is deemed acceptable.

Faussett distributed a copy of the 2009 Zoning Map from the county Equalization Department. He said it needs just a couple of changes to be acceptable. He also distributed an alphabetized list of the 240 parcels that will be rezoned from Waterfront Residential to their primary and/or secondary zoning. Faussett said that information on WR rezonings will appear in the December township newsletter sent out with tax bills.

Commissioners discussed the meaning of "required front yard" in Section 3.8 A-2 of the Zoning Ordinance ("Accessory buildings shall not be permitted in the required front yard.") Faussett said this is difficult to administer when someone has a residence far off the

road. Suggestions were made to remove "required", stipulate a parcel size in allowing an accessory building in the front yard, or that the home must be a certain number of feet off the road. Putnam, Blanding and Faussett will discuss this issue and bring their recommendations to the December meeting.

Commissioners discussed limiting the number of accessory buildings on a parcel in residential zoning. It was noted that Section 3.8 D-1 of the Zoning Ordinance limits the number of detached accessory buildings to two in Commercial and Industrial zoning, but no limit is stated in Section 3.8 C for residential zoning. Motion by Larkin to set a Public Hearing during the December 16, 2009 regular meeting to receive public comment on adding Section 3.8 C-6 to the Zoning Ordinance to read " No more than two detached accessory buildings shall be permitted on any lot." Supported by Decker, motion carried.

Commissioners reviewed proposed Public Conservation District language written by Faussett to be added to Chapter 7 of the Zoning Ordinance (Residential Zoning Districts) and made some changes. Motion by Decker to set a Public Hearing during the December 16, 2009 regular meeting to receive public comment on the addition of Public Conservation District language to Chapter 7, supported by Gilman, motion carried.

Committee reports were given as follows:

- Annexation Committee - Faussett reported that the Resolution to resolve Wal-Mart annexation issues has been sent to the township's attorney.
- Township Board - Roy reported that the Board approved the Planning Commission's recommendations to delete the WR District, amend the Site Plan Review language in Section 4.1 and to rezone the Quality Collision parcel to General Commercial. The Township Board approved the 2010 budget and they will discuss next year's Fee Schedule at the December meeting. The Board will hold a Public Hearing in December on Ordinance 81 regarding flood plains. Revised fire and sheriff contracts are to be completed by January. Supervisor Shears said that current insurance coverage and bonding of township employees is being reviewed. Roy said there two terms expiring on the Planning Commission and those interested in filling the positions must send a letter of interest and resume to the Supervisor. An old building in the township cemetery is being removed. Roy reminded Commissioners of the township Christmas potluck on December 15, 2009 at 7 p.m.
- Roads Committee - No report.
- Zoning Board of Appeals - Putnam said the ZBA met with the Cadwells, who own property at Burgess Lake. They have a non-conforming land division and may need to purchase additional adjacent property. In that event, the township would issue a restrictive covenant including their property across the road from their residence. The plat change would require Board approval.

Putnam said that the annual meeting of the Michigan Townships Association will be held in Grand Rapids January 27-29, 2010 and Planning Commissioners are welcome to attend. Those interested need to inform Clerk Linda Ruwersma by December 14th.

Blanding asked Faussett to look at the lights mounted on the building at Blake Hollenbeck Auto Sales on West M-57. Blanding said they shine toward the road and may not be compliant with Zoning Ordinance outdoor lighting requirements. Faussett will investigate and let Hollenbecks know that there has been a complaint. The lights will need to be adjusted if they are found to be non-compliant.

Roy suggested that an item be added to a township newsletter about residents cleaning up after their dogs.

Items for discussion at the December 16, 2009 meeting:

- Public Hearing on limiting accessory buildings in residential zoning.
- Public Hearing on Public Conservation section of Chapter 7.
- Finalizing the revised Master Plan.
- Report from Putnam, Blanding and Faussett on required frontage requirements.

The Chairman adjourned the meeting at 9:35 p.m.

Respectfully submitted,



Candace W. Larkin,
Planning Commission Secretary

D. Public Conservation District (PC)

1. *Purpose – State game lands play a critical role in providing wildlife habitats and outdoor resource-based recreation for residents in the Township. The Flat River State Game Area (SGA) is an important land use in the community and it is the intent of township planners to protect these unique areas. Conditions dictate that the future land use strategy includes the Township’s long-range policies for this valuable resource.*
2. *Location – The Public Conservation District includes all land under state ownership that comprises the Flat River State Game Area (Flat River SGA).*
3. *Principal Permitted Uses – The following uses are permitted by right in the Public Conservation District:*
 - a. *Recreation.*
 - b. *Hunting and fishing.*
4. *Accessory Buildings and Uses – Are only allowed in conjunction with the State Department of Natural Resources’ projects and with their approval. In the event parcels are sold by the DNR, accessory buildings and uses must meet Township requirements.*
5. *Special Land Uses – The following uses are permitted with special land use approval in the Public Conservation District:*
 - a. *Public parks and playgrounds.*
 - b. *Public and private schools.*
 - c. *Conservation clubs.*
6. *Area, Height, Bulk and Placement Requirements – Area, Height, Bulk and Placement requirements, unless otherwise specified, are as provided in the Schedule of Residential District Standards.*

Schedule of Residential District Standards – Eureka Charter Township

| Standard | RR | SR | UR | PC | MHR |
|---|----------|----------|----------|---------|-------------------|
| Minimum Lot Area (a) | 2 acres | ¾ acre | ¾ acre | N/A | 8,000 sq. ft. (b) |
| Minimum and Lot Width (avg. and at front setback) | 200 feet | 130 feet | 130 feet | N/A | 40 feet |
| Minimum Front Yard Setback | 35 feet | 35 feet | 35 feet | 35 feet | 25 feet |
| Minimum Side Yard Setback | 20 feet | 10 feet | 10 feet | 10 feet | 10 feet (c) |
| Minimum Rear Yard Setback | 50 feet | 40 feet | 30 feet | 40 feet | 10 feet (c) |
| Maximum Building Height | 35 feet | 35 feet | 35 feet | 35 feet | 35 feet |
| Maximum Lot Coverage (Buildings/Paving) | 30% | 40% | 40% | 40% | 45% |
| Lot Depth to Width Ratio | 4:1 | 4:1 | 4:1 | 4:1 | 4:1 |
| Special Notes | (d)(e) | (d)(e) | (d)(e) | (d)(e) | (e) |

NOTES:

- (a) Special land uses may require different dimensional standards. Refer to Special Land Use Standards.
- (b) 8,000 square feet is the minimum lot area per dwelling unit located in a Manufactured Home Park. In the event a dwelling is located in the MHR District but outside the confines of a Manufactured Home Park, said dwelling must meet or exceed the dimensional standards of the RR District. A minimum of 10 acres and a minimum parcel frontage of 330 feet are required for a Manufactured Home Park.
- (c) The minimum setback shall increase to 25 feet where the Manufactured Home Park abuts a Zoning District not classified as MHR.
- (d) A minimum of 1,000 approved finished square feet, based on exterior dimensions, is required per housing unit for one and two bedroom units and an additional 200 square feet is required for each additional bedroom.
- (e) Lots meeting requirements for minimum lot area and minimum lot width prior to the Schedule of Standards established in November of 2005 shall be grandfathered as long as they meet all other requirements.

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
NOTICE OF PUBLIC HEARINGS

The Eureka Charter Township Planning Commission will hold two Public Hearings during its regular meeting on Wednesday, December 16, 2009 beginning at 7:00 p.m. at the Eureka Charter Township Hall, 9322 S. Greenville Road. Purpose of the Public Hearings is to receive public comment on revising Chapter 3, Section 3.8-C of the Eureka Charter Township Zoning Ordinance (Number 79) to limit the number of accessory buildings on a residential parcel, and to add the Public Conservation District to Chapter 7 (Residential Zoning Districts) of the Zoning Ordinance.

Candace W. Larkin
Planning Commission Secretary