

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES Approved
January 19, 2011

Agenda Items 1 & 2: Meeting Convene & Roll Call

Chairman Lee Gilman called the January 19th, 2011 regular meeting of the Eureka Charter Township Planning Commission to order at 7:00 pm. Roll call fall all Planning Commission members in attendance: Chairman Lee Gilman, Vice Chairman Duane Putnam, Secretary Shawn Decker and Commissioners Rodney Roy, Joyce Sage and Mark Wilkin. Township Zoning Administrator Thomas Faussett, Township Supervisor Laura Shears and Township Secretary Renee Fountain were also in attendance. Approximately 8 township residents were also in attendance.

Agenda Item 3: Prior Meeting Minutes

The minutes from the December Planning Commission meeting were reviewed. At 7:01 pm, a motion was made by Wilkin and supported by Roy to accept the minutes as written. Motion carried 7-0.

Agenda Item 4: Audience Comments

Chairman Gilman reviewed the ground rules for audience comments. He then opened the meeting for public comments to subjects not already on the agenda at 7:02 pm. None were brought forward and the item was closed at 7:03 pm.

Agenda Item 5: Public Hearing (PH) on Special Land Use Permit from Dave Robertson

Item was tabled until it is needed at a future date. The PH won't be needed unless Dave Robertson's property, located at 7344 South Backus Road, is rezoned from Suburban Residential to Industrial.

Agenda Item 6: PH on rezoning Parcel at 9322 S. Greenville Rd from GC to SR

The PH was opened at 7:07 pm to receive comment on the rezoning of parcel 59-008-004-002-70 from General Commercial to Suburban Residential. Hearing no comment, the PH was closed. At 7:08, Putnam motioned and Wilkin supported the Planning Commission recommending to the board the rezoning of parcel 59-008-004-002-70 to Suburban Residential. Motion carried 7-0.

Agenda Item 7: PH on changing the Minimum Front Yard Setbacks to 60'.

At 7:09 pm, Gilman opened the public hearing to receive public comment on changing the front yard setback in all residentially zoned properties from 35' to 65'. Hearing no public comments, the public hearing was closed at 7:10 pm.

At 7:21 pm Putnam motioned and Blanding supported that the Planning Commission recommend to the Township Board that the front yard setback be changed from 35' to 50'. Motion failed 5-2 (Decker and Putnam supported).

At 7:24 pm Putnam motioned and Decker supported that the Planning Commission recommend to the Township Board that the front yard setback be changed from 35' to 45'. Motion carried 6-1 (Sage).

Agenda Item 8: Schedule of Planning Commission Meetings for 2011

At 7:26 pm, a motion was made by Blanding and supported by Roy to have the 2011 Regular Meetings of the Eureka Charter Township Planning Commission on the third Wednesday of each month, to begin at 7:00 pm. Motion carried 7-0.

Agenda Item 9: “Doggie Daycare” in General Commercial

Discussion on whether or not dog boarding facility should be allowed in GC. A discussion ensued for about 15 minutes discussing a variety of thoughts and opinions, including whether or not this type of facility is a kennel. The Planning Commission agreed that, in accordance with Zoning Ordinance 79 Section 16.2 D-3, the issue must first go to the Zoning Board of Appeals.

At 7:49 pm, Wilkins motioned and Roy supported that Thomas Faussett check with an attorney to determine whether or not the Eureka Township definition on a kennel is enforceable. Motion carried 6-1 (Blanding)

Agenda Item 10: Discussion on rezoning Dave Robertson property from SR to Ind.

Mike Garcia, of 7330 South Backus Road and Tom Lindeman, of 8060 South Backus Road, submitted letters stating their opposition to rezoning their parcels to Industrial. A repeated concern stated by residents is the potentially negative impact rezoning the parcels to Industrial would have on resale value. Additionally, residents voiced concern about the challenge they would encounter if they chose to remodel their house under industrial zoning.

Putnam agreed to conduct research into “conditional rezoning” in preparation for the February meeting.

Dave Robertson voiced his interest in purchasing property from Jim Barens, the owner of Parcel 59-008-420-010-00, which is lots 10, 11, & 12 at 7480 S. Backus Road. The purchase would remedy the current obstacles faced by Mr. Robertson and his desire to use his property for storage purposes. Mr. Barens voiced his desire to sell his property and his willingness to entertain Dave Robertson’s offer. Mr. Barens also voiced his support of rezoning his parcels to Industrial.

At 8:12 pm, Putnam motioned and Roy supported, that the Planning Commission recommend to the Township Board that properties 10, 11, and 12 of Mr. Barens be rezoned from Suburban Residential to Industrial. Motion carried 6-1 (Sage).

Agenda Item 11: Discussion on water front zones extending into waterways.

At 8:30 pm, a motion was made by Roy and supported by Blanding to hold a public hearing in February to receive public comment on revising Zoning Ordinance 79 Chapter 3, Section 3.27,

Number 5 to reads as follows: "Accessory supplemental structures shall not extend into the waterway so as to encroach upon the neighbor's riparian rights, view and use of the waterfront." Motion carried 5-2 (Decker & Putnam).

Agenda Item 12: Doubling fees for non-preapproval seeking residents

Putnam suggested that if fees are doubled on residents that conduct activity without first getting the required permit, it should be put in the Township newsletter to increase awareness.

At 8:47 pm, a motion was made by Putnam and supported by Blanding that Faussett prepare a revised fee schedule of permits for review at the February Planning Commission meeting. Motion carried 5-2 (Wilkins and Sage).

Committee Reports

Zoning Administrator Faussett: The request for dry hydrants has been completed. The township will advertise locally for bids, which will close April 1st, 2011. The township cemetery will soon be revamped so that the township will know where used and unused grave sites are within the cemetery. A historical workup on the cemetery will be conducted that will provide the township with comprehensive data on the cemetery so the township can continue to sell sites.

Annexation Committee: Nothing to report.

Township Board – Roy: The Township Board approved the use of chloride for the township roads. The board also approved the rezoning of the Chapin Property to SR. The recommendation from the Planning Commission on dog kennels was rejected. The board thinks legal guidance should be sought. The board passed a resolution approving the banks they're going to use.

Road Commission – Blanding: Nothing to report.

Zoning Board of Appeals – Putnam: The ZBA will take up the matter of the dog boarding business.

Commissioner Comments

Sage informed the Planning Commission she'll be absent from the February Meeting for personal reasons. She also relayed concerns brought to her by a few residents pertaining to the Planning Commissions perceived unpredictability on the rezoning of parcels over the past few months.

Leadership Montcalm presentation will be given by Duane Putnam and Thomas Faussett; they will present on the roles of the Planning Commission in the township on February 11th.

Building permits have been slow. Faussett suggested that we not use the term kennel in our definition.

Items for February Agenda

- Review of the revised fee schedule of permits to be created by Faussett.
- Continued discussion on the dog kennel definition.
- Continued discussion on the Robertson property.
- Public Hearing on revising Zoning Ordinance 79 Chapter 3, Section 3.27, Number 5 to reads as follows: "Accessory supplemental structures shall not extend into the waterway so as to encroach upon the neighbor's riparian rights, view and use of the waterfront."

Blanding motioned and Roy supported that the meeting adjourn at 9:24 pm. Motion carried 7-0.

Respectfully submitted,

Shawn Decker
Planning Commission Secretary

Public Hearing Notice for Eureka Charter Township: February 2011

The Eureka Charter Township Planning Commission will hold a public hearing on Wednesday, February 16, 2011, at the Eureka Charter Township Hall, 9322 S. Greenville Road, at 7:00 pm. The purpose is to gain public comment on revising Zoning Ordinance 79 Chapter 3, Section 3.27, Number 5 to reads as follows: "Accessory supplemental structures shall not extend into the waterway so as to encroach upon the neighbor's riparian rights, view and use of the waterfront." For additional questions contact Supervisor Shears at the Eureka Charter Township Hall at 616-754-5053 during business hours, M-F, 9am to 1pm.