

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES

Approved  
July 21<sup>st</sup>, 2010

Vice Chairman Lee Gilman called the July 21<sup>st</sup>, 2010 regular meeting of the Eureka Charter Township Planning Commission to order at 7:00 p.m. Roll call found Commissioners Michael Blanding, Shawn Decker, Lee Gilman, Mark Wilkin, Joyce Sage and Rodney Roy present and Chairman Duane Putnam on an excused absence. Thomas Faussett, Township Planning Advisor, and Laura Shears, Township Supervisor, were present. There were ten audience members.

Lee Gilman informed the Planning Commission that Planning Commission Secretary Mark Wilkin was resigning from the Secretary position. He will continue to serve his role as Commissioner. A motion was made at 7:02 pm by Rodney Roy to accept Mark's resignation. The motion was supported by Joyce Sage. The motion passed 6-0.

Mark Wilkin asked if it were possible for the secretary position to be filled by a non-Planning Commission member. Lee Gilman explained that it was possible, but that it would be more affordable to Eureka Township if a Planning Commission member occupied the position. Joyce Sage nominated Planning Commissioner Shawn Decker to the position of Planning Commission Secretary at 7:04 pm. The nomination was supported by Rodney Roy. The motion passed 6-0.

Minutes of the June 16th, 2010 Planning Commission regular meeting were reviewed. Several corrections were made to the minutes including:

1. **Correcting Item 3** to reflect Brian Hammersma speaking prior to the review of the May Planning Commission Meeting Minutes.
2. **Correcting Item 3** (now Item 4) to reflect the minutes being approved were from the May 19th, 2010 Planning Commission Meeting, not April 21st, 2010.
3. **Adding to Item 3:** Brian Hammersma of KBH Homes was in the audience to discuss his request for a time extension to the 2<sup>nd</sup> phase of his development of the condominium project located on Johnson and Harlow Lake roads. Due to economic conditions he has not started the 2<sup>nd</sup> phase of the development. Brian Hammersma requested a 2 year extension. Duane Putnam explained that the Eureka Township Ordinance allows for a 1 year extension.
4. **Adding to item 8:** Brad Harrington wants to locate M&M Car Sales to the previous site of Eureka Feed and Seed Quonset building on the north end of his property next to Jordan Road. Brad agreed that he would follow through on his letter of intent to complete a driveway access from his paved area north to the Quonset building and provide an entrance drive north onto Jordan Road using crushed asphalt. He also agreed to block off driveway access to M-91. The Planning Commission unanimously approved the proposal giving him 45 days from the date M&M moves in and explained to Brad that no further ordinance requirements pertaining to lot improvement would be required until a change in "use" or some form of

“construction change” to the building or lot occurred. This would allow him to proceed with his car sales.

5. Item 11 edited to reflect the gate needing to be self closing, self locking, and that the gate must go around the entrance of the pool.

At 7:14 pm, Mike Blanding made the motion that the minutes be accepted as revised. The motion was supported by Rodney Roy and passed 6-0.

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

At 7:15 p.m., Gilman opened the Public Hearing to receive input for portable signs being allowed in General Commercial and Industrial Districts. Tom Faussett explained that if approved Portable Signs would be allowed in all Commercial and IND Districts. One portable sign per lot would be allowed, with a maximum of 32 square feet per side, the sign must be set 10 feet from all lot lines -15 feet from driveways, and that it must not exceed 6 feet in height. Hearing no public comments, the public hearing was closed at 7:17 pm.

A motion was made at 7:18pm by Mark Wilkin and supported by Rodney Roy to recommend to the Eureka Township Board, for their review, to allow portable signs in all Commercial and IND Districts. The motion passed 6-0.

A Public Hearing was opened at 7:19 pm to recommend rezoning a portion of Section 2 of Eureka Township to Suburban Residential from Agricultural. The parcels to be rezoned are all Section 2 parcels on County Farm Road, not exceeding 330 feet north of the road.

Tom Faussett introduced himself to the residents and explained the reasoning for the rezoning. He explained that the properties the Planning Commission would like to rezone are presently a non-conforming use. The rezoning would have no impact on the resident’s rate of taxation as zoning does not affect tax assessment. Also, it would make it simpler for residents to make changes to their residential property, such as adding a deck to their house, as they would not need to go to the Zoning Board of Appeals, which requires a fee.

Resident Bob Turnbull asked Tom Faussett how lots that are less than 3 acres in size became zoned Agricultural. Tom explained they were grandfathered in when changes were made several years ago. Bob also wanted to know how this change will impact his ability to build a Pole Barn on his property. Tom explained that he can still do it, but now he won’t have to go to the Zoning Board of Appeals.

Harlow Evans wanted to know why his two properties can’t be combined. Tom explained that they can’t be combined because they are in different sections. Tom explained that there is the possibility of entering into a “Restrictive Covenant” if Harlow sees the need to do so. Tom also explained that the rezoning will have no impact on farming.

Sylvia Rydahl asked about the future of the zoning on the south side of County Line Road. Tom informed Sylvia that it would be reviewed. Tom also suggested that the Planning Commission make it the next section for review.

At 7:37 pm the Public Hearing was closed. Rodney Roy stated that he felt this was a win-win situation for the residents and the township.

At 7:39 pm, Mike Blanding recommended to the Eureka Township Board that parcels in Section 2, that are along County Farm Road and 330 feet north be rezoned to Suburban Residential from Agricultural. Joyce Sage supported and the motion passed 6-0.

At 7:40 pm, Lee Gilman opened the discussion of the definition of Accessory Buildings. Lee reviewed comments emailed to the Planning Commission by Planning Commission Chairman Duane Putnam. In Duane's suggested changes to the definition of Accessory Buildings, he expressed his desire that "any structure that has a roof included and used for storage of materials/items," would be included as an Accessory Building. He stated that Accessory Buildings would not include decks without a roof, docks, children's play houses, gazebos, and similar items.

Resident Renee Fountain asked what a deck and gazebo would be considered if it were not an accessory building. Tom Faussett pointed out the importance of having that addressed before changing the definition of an accessory building, as they'd then fall under "Other Structures."

At 7:44 pm, a motion was made by Mark Wilkin that the Planning Commission table the definition of accessory buildings until the August meeting. This was supported by Mike Blanding and passed 6-0.

At 7:45 pm, Lee Gilman opened the discussion on the Height of Accessory Buildings. Lee Gilman read comments sent to the Planning Commission by Duane Putnam, expressing his thoughts on the height of accessory buildings. Duane expressed that it's important the Planning Commission consider the possibility of diminished curb appeal resulting from a 35' accessory building in a residentially zoned parcel. He suggested that the height of accessory buildings be increased from 18' to 22', as that was the height the Zoning Board of Appeals allowed in a recent variance. Shawn Decker stated that 26' should be adequate for someone constructing an accessory building, such as a pole barn, that would be used to store an RV.

Resident Renee Fountain indicated that she felt that the Planning Commission should allow accessory building to be as tall as 35'. She stated that if a resident can afford the structure, they should be able to build it. She also pointed out that the Planning Commission may be depriving the township of tax revenue by not allowing the construction of a larger structure on the property.

Rodney Roy stated that the City of Greenville allows for 33' accessory buildings, and it looks fine as long as it does not break the peak plane of the resident's roof. Joyce Sage stated she felt the Planning Commission was being too restrictive. Mike Blanding and Shawn Decker voiced concerns about a large accessory building, 35' in height being too near a neighbor's house. They

pointed out that it would be unsightly and castle-like in stature, especially if the house were a ranch style home.

After much discussion, Lee Gilman made the motion that the height of Accessory Buildings be increased from 18' to 24' at 8:07 pm. The motion was seconded by Decker. The vote was 3-3. A motion was made by Lee Gilman to table the subject until the August Planning Commission Meeting. Mark Wilkins supported the motion. Item tabled on a 6-0 vote.

The zoning of Sections 11 and 12 of Eureka Township were reviewed. Tom Faussett stated he felt Section 12 should remain Agricultural. Tom said he would review Section 11 and bring his zoning recommendations for parcels in Section 11 to the August Planning Commission Meeting.

A motion to keep Section 12 of Eureka Township Agricultural was made by Mark Wilkin at 8:20 pm and seconded by Joyce Sage. The motion passed 6-0.

Tom suggested we review Sections 3 and 11 for the August Planning Commission Meeting.

Committee reports were given as follows:

- Zoning Administrator – Nothing to report.
- Annexation Committee – Nothing to report.
- Township Board – Rodney Roy reported that the Township Board renewed the fire contract with the City of Greenville, that the cost would be somewhat higher, and that the contract was tied to the Consumer Price Index (inflation). He indicated that a Public Hearing would be held on the Dangerous Building Ordinance in August. He indicated that the Board approved changes to Swimming Pool ordinance 46 in Section 1C to state: “Above Ground swimming pools 4’ or higher will only require a secure 4’ high self closing latching gate at the entrance to the pool.” In addition, two additional sections were added to the ordinance: “Section VIII Enforcement and Penalties” and “Section X Severability Clause.”
- Roads Committee – Little progress has been made on the approved road projects on Johnson Road in Eureka Township.
- Zoning Board of Appeals – No report.

Mike Blanding voiced his opinion that it appears challenging for a Planning Commission Secretary to both take notes and stay engaged in the ongoing dialog of the Planning Commission.

Mark Wilkin expressed his appreciation for the opportunity to serve as the Planning Commission Secretary. He made the suggestion that new members of the Planning Commission not serve as Planning Commission Secretary.

Items for discussion at the August, 2010 meeting:

- Definition of Accessory Buildings
- Height of Accessory Buildings
- Review the parcel zoning of Sections 3 & 11 of Eureka Township

The Vice Chairman Lee Gilman opened up the Planning Commission for Public Comment at 8:40 pm. Zoning Administrator Tom Faussett suggested the Planning Commission review several Wind Energy Ordinances for the August meeting that are different than our draft ordinance. Tom will send these ordinances by email and has asked the Planning Commission to review them in advance of the August PC meeting. Lee Gilman closed public comment at 8:42 pm.

The motion was made by Roy to adjourn, supported by Sage. The Planning Commission adjourned at 8:42 pm.

Respectfully submitted,

Shawn C. Decker,  
Planning Commission Secretary