

EUREKA CHARTER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES

Approved
August 18th, 2010

The August 18th, 2010 regular meeting for the Eureka Charter Township Planning Commission was called to order by Chairman Duane Putnam at 7:07 p.m. Roll call found Putnam and Commissioners Michael Blanding, Shawn Decker, Lee Gilman, Rodney Roy, Joyce Sage, and Mark Wilkins present. There were three audience members in attendance.

Minutes of the July 21st, 2010 regular meeting were reviewed. Motion by Gilman, supported by Roy, to approved the minutes as submitted. Motion carried.

In the time set aside for public comment on non-agenda items, Township Supervisor Laura Shears requested that the Planning Commission discuss the issue of semi-trucks in residential districts. Duane stated that it would be discussed later in the meeting.

At 7:10 pm, Putnam opened the discussion on the definition of accessory buildings. The item had been tabled in July. Putnam stated he believed accessory buildings should include structures that are used for storage of materials and items. Items such as decks and playhouse's should be miscellaneous items instead of accessory buildings. Resident Renee Fountain submitted a letter in which she stated, "I also feel that changing the Accessory Building definition, to omit decks without roofs, docks, children's play houses, gazebos and similar items will only lead into issues that the Planning Commission would have to correct later. As Mr. Fausett has mentioned, any building over 200 sq. ft. needs a building permit; these buildings/structures cannot just be left out in limbo." Renee, Lee and Duane agreed to form a committee to discuss the issue further and bring their suggestions to the September Planning Commission meeting.

At 7:23 p.m., Putnam opened item 6 on the agenda, the height of accessory buildings. Putnam reinforced his perspective on the importance of curb appeal considerations in setting the height of accessory buildings in the township and the need for distance between accessory buildings and the residence to increase as the height of the accessory building increases. He also stated that the accessory buildings being discussed are for residential zoning and that while storage is needed, it should not overshadow the residence. Renee's written comments were reviewed. Her perspective that larger and taller accessory buildings should be allowed on larger lots was shared by several Planning Commissioners.

At 7:40 p.m., Gillman made a motion to recommend to the Township Board that the following change be made in Chapter 3, Section 3.8 C-5 of the Zoning Ordinance: Except for agricultural operations, no detached accessory building shall exceed 24 feet in height. The height is presently 18 feet. The motion was supported by Blanding. A roll call vote was conducted. The Yes votes were Blanding, Decker, Gillman and Putnam. The No votes were Sage, Wilkins and Roy. The motion passed 4-3.

At 7:45 p.m., Zoning Administrator Tom Faussett explained the request of Brad Harrington and Glen Bailey to have a cage fighting event in Eureka Township. He explained that the zoning

does not presently state whether gymnasiums, training centers and similar leisure activities are allowed in the Township. Tom agreed to give Brad Harrington and Glen Bailey a two month temporary permit to hold the event. The sale and/or acceptance of donations in exchange for alcohol at the event would be prohibited according to conversations Faussett and Gilman had with the Liquor Control Commission. Motion by Gilman at 8:13 p.m., supported by Wilkins, that a public hearing be held in September to allow gymnasiums and physical training centers in Rural Commercial as a permitted general use and to be allowed in General Commercial with a special use permit. The motion carried 7-0.

At 8:16 p.m., the rezoning of parcels in Section 11 was discussed. Faussett explained that parcels on the south side of West County Farm Road and the east and west sides of Backus Road should be rezoned from Agricultural and Industrial to Suburban Residential. The reason he proposed the change is to make the existing parcels conforming to the current zoning requirements and to meet the intent of the Eureka Charter Township Master Plan. At 9:02 p.m., Gilman made the motion that a public hearing be held to rezone all of Section 11 within Eureka Township to Suburban Residential from its current zoning. The motion was supported by Wilkins. Motion carried 6-1.

At 9:08 p.m., Putnam opened the discussion on Wind Energy Ordinances. Faussett made several suggestions to simplify the present draft Wind Energy Ordinance. The primary suggestions Tom proposed were to have two categories for wind energy systems: small and large. Eliminating mid-sized systems as well as not differentiating in the ordinance between tower-mounted and structure-mounted would significantly reduce the size of the ordinance. At 9:25 p.m., a motion was made by Roy, supported by Gilman, to table the Wind Energy discussion until the September meeting. Motion carried.

Committee reports were given as follows:

- **Zoning Administrator** – A complaint was filed by a neighbor of a resident that owned a straight-line truck that was being parked on the front lawn of the resident’s property. Tom sent a letter, citing Section 3.13 of the Zoning Ordinance, which prohibits semi trucks from being parked in a residential district. The resident stated the truck is not a semi, it’s a straight-line truck. Faussett sought clarification in Section 3.13. Upon review, the Planning Commission suggested Section 12.7 as having offered the needed clarification. The Planning Commission believed the “straight-line” truck to more closely resemble a semi and is clearly not the standard pickup truck. Tom also asked for clarification in Section 3.9, as to whether or not fences above 4 feet in height in the required front yard are allowed to be more than 25% solid if it’s not in a Residential District. The Planning Commission reviewed the Section and expressed the interpretation that the standard applies to all districts.
- **Township Board** – The Board approved the Planning Commission’s recommendation that portable signs be allowed in all Commercial and Industrial Districts. The suggested parcel rezoning in Section 2 was approved by the board. A public hearing was held to discuss buildings in the township that were unsafe due to poor upkeep. The Township is working on an ordinance to address this issue. Cindy (Last Name?) has resigned from the Library Board. Marlene Burns has replaced Cindy and will complete her term. Zayler’s Plumbing will look at possibly adding a water spigot to the front of the township hall. On

September 11, the Township will be having a cleanup day from 9 a.m. to 3 p.m. The Michigan Township Association will be holding several Regional Meetings in the month of October and the Planning Commission is encouraged to attend.

- **Roads Committee** – None
- **Zoning Board of Appeals** – None

Items for discussion at the September 15th, 2010 meeting:

- Continued discussion on the definition of accessory buildings.
- Public Hearing on gymnasiums and physical training centers being allowed in Rural Commercial as a permitted general use and to be allowed in General Commercial with a special use permit.
- Public hearing to be held on rezoning all of Section 11 within Eureka Township to Suburban Residential from its current zoning.
- Continued discussion on the development of the Wind Energy Ordinance.

The meeting adjourned at 9:40 p.m.

Respectfully Submitted,

Shawn Decker
Planning Commission Secretary