

DRAFT

**SPRING LAKE TOWNSHIP
PLANNING COMMISSION MINUTES
April 17, 2013 – REGULAR MEETING**

PRESENT: David Rumpel, Dennis Masson, Ron Lindquist, Greg Latsch and Russ Tiles.

ABSENT: Jack Ketchum and Amy VanDyke

PARTICIPANTS: Lukas Hill - Community Development Director

A. Call to Order.

Rumpel called the meeting to order at 7:00 p.m.

B. Adoption of Minutes.

Masson moved to adopt the minutes of the March 20, 2013 regular meeting of the Planning Commission. Ketchum seconded the motion and it passed unanimously.

C. Approval of Agenda.

Masson moved to approve the agenda. Latsch seconded the motion and it passed unanimously.

D. General Public Comment: No general public comment.

E. Ivey Special Land Use – Public Hearing

James Twa from Twa Construction stated that his client, Dr. Ivey, desires to build a 2,800 square foot house with an accessory building that exceeds that maximum area allowed by right. Twa continued to state that the building is 30'x 45' with a 5' porch for a total of 1,575 square feet. Twa stated that the siding and roofing materials will match that of the house and that the lot is just over an acre in size. Twa explained that many lots in the immediate neighborhood have out buildings that are similar in size and nature. Lindquist stated that he was concerned about approving the subject application as the lot does not currently have a principle dwelling on it. Hill stated that he would not issue a permit for the accessory building without it including a permit for the new home as well and that they may be built simultaneously. Lindquist still expressed reservation and stated that the next administrator may not be so diligent. Lindquist continued with reservations on this application based on recent sentiments of the Township Board. Masson stated that he has confidence that this process is normal and typical of Hill's responsibility. Latch also explained that the applicant has the right to apply for a larger accessory building per the zoning ordinance and that matters beyond this application should be addressed separately. Twa stated there are no utilities planned for the accessory building at this time. Hill noted that living quarters are not permitted in accessory buildings.

Rumpel opened the public hearing. Larry Mierle stated that he has talked with Dr. Ivey and that he was told that the building would be used to store cars and boats. Masson moved to close the public hearing. Lindquist supported and it passed unanimously.

Rumpel moved to approve the Ivey Special Land Use request to construct up to a 1,575 square foot accessory building as illustrated in the presentation materials that exceeds the area limitations in the R-1 Zone District with the following conditions:

1. The accessory building generally meets the criteria in Section 902 and 905 of the Zoning Ordinance.
2. The accessory building shall be built in compliance with the submitted site plan and elevation drawings. The accessory building may be reduced in height or area without further review by the Planning Commission.
3. The accessory building shall be used for personal storage only.
4. The applicant will comply with any other local, state, and federal laws.
5. The applicant will comply with all verbal representations.

Masson seconded the motion and it was approved unanimously.

G. Reports

1. Township Board: Lindquist stated that the Board did not approve some of the recent text amendments recommended by the Planning Commission and that there is a desire by the Township Board to have the Planning Commission consider a text amendment that would place the accessory building special land use authority back with the ZBA as it was previous to zoning ordinance re-write in 2010. Doug Noren, ZBA Chairman, stated that he felt this authority should be with the ZBA as they review very specific criteria. Masson stated that the Planning Commission also reviews specific review criteria. Rumpel was curious if the Board or ZBA had recognized any specific failures by the Planning Commission regarding past accessory building special land uses reviews. None were cited. The Planning Commission asked to have the Township Attorney present at the next meeting to discuss the matter and requested more detailed information on the subject from the Township Board. They also suggested that this matter be discussed at the joint meeting of the Board, Planning Commission and ZBA in May.

2. Zoning Board of Appeals: No Report.

3. CDD: No report.

J. Motion to adjourn at 8:40PM made by Rumpel with support from Masson. Motion passed unanimously.

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Respectfully submitted,

/s/

David Rumpel, Chairman
Planning Commission