



# ATLAS TOWNSHIP, MI

PLANNING COMMISSION

AGENDA • APRIL 19, 2017

**Regular Meeting**

**Township Hall**

**7:00 PM**

**7386 S. Gale Rd, Grand Blanc, MI 48439**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. STAFF PRESENT**

**IV. APPROVAL OF AGENDA**

**V. APPROVAL OF MINUTES**

1. Planning Commission - Regular Meeting - Mar 15, 2017 7:00 PM

**VI. REPORTS**

**VII. CORRESPONDENCE**

**VIII. PUBLIC COMMENTS**

**IX. NEW BUSINESS**

1. PUBLIC HEARING FOR PROPOSED TEXT AMENDMENTS

**X. UNFINISHED BUSINESS**

1. PC discussion/action regarding Proposed Zoning Text Amendments
2. Continued discussion regarding ADUs

**XI. BOARD COMMENTS**

**XII. PUBLIC COMMENTS**

**XIII. ADJOURNMENT**

Note: 1) Each person addressing the board is asked to voluntarily state their name and address for the record.  
2) Three (3) minutes will be allowed for an individual addressing the board. Each individual present will be allowed an opportunity to address the board.  
3) Please refrain from being redundant.  
4) All comments are to be directed to the chair.

PHYSICALLY CHALLENGED PERSONS NEEDING ASSISTANCE OR AID AT ANY PUBLIC MEETING OR PUBLIC HEARING SHOULD CONTACT THE ATLAS TOWNSHIP CLERK AT 810-636-2548 DURING REGULAR OFFICE HOURS, NOT LESS THAN SEVENTY-TWO (72) HOURS PRIOR TO THE PUBLIC MEETING OR PUBLIC HEARING.



# ATLAS TOWNSHIP, MI

## PLANNING COMMISSION

**DRAFT MINUTES • MARCH 15, 2017**

**Regular Meeting**

**Township Hall**

**7:00 PM**

**7386 S. Gale Rd, Grand Blanc, MI 48439**

1 **I. CALL TO ORDER**

2 **II. ROLL CALL**

Attendee Name	Title	Status	Arrived
Rick Misek	Chairman	Present	
J. Michael Rembor	Secretary	Present	
Paul Duggan	Vice -Chair	Present	
Patrick Major	Trustee	Present	
John Birkner	Board Member	Present	
James Lusty	Board Member	Late	7:05 PM
Jay Tenbrink	Board Member	Present	

3

4 **III. STAFF PRESENT**

5 Nick Lomako, Township Planner

6 Attorney David Lattie

7 **IV. MINUTES APPROVAL**

8 1. Planning Commission - Regular Meeting - Feb 15, 2017 7:00 PM

9 <b>RESULT:</b>	<b>ACCEPTED AS AMENDED [UNANIMOUS]</b>
10 <b>MOVER:</b>	J. Michael Rembor, Secretary
11 <b>SECONDER:</b>	Paul Duggan, Vice -Chair
12 <b>AYES:</b>	Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

13 Line 53: strike out Patrick Major and replace with J. Michael Rembor

14 Line 56: strike out J. Michael Rembor and replace with Patrick Major

15 Line 62-63: Strike out resident's name and children's medical conditions

16 Line 76: Change "State Zoning and Legal Act" to "State Zoning and Enabling Act"

17 Line 98: Amend sentence to say "a set of plans for an approximately 300 sq ft. quality  
18 structure.

19 **V. APPROVAL OF AGENDA**

20 1. Approval of Agenda

Minutes Acceptance: Minutes of Mar 15, 2017 7:00 PM (APPROVAL OF MINUTES)

21 **RESULT: ADOPTED [UNANIMOUS]**  
 22 **MOVER:** Paul Duggan, Vice -Chair  
 23 **SECONDER:** J. Michael Rembor, Secretary  
 24 **AYES:** Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

25 **VI. REPORTS**

26 Chairman Misek informed the commission about the Zoning Board of Appeals case which  
 27 relates to item #3 on the agenda. Township Board report by Pat Major

28 **VII. CORRESPONDENCE**

29 None

30 **VIII. PUBLIC COMMENTS**

31 None

32 **IX. NEW BUSINESS**

33 The commission agreed to hear new business regarding proposed text amendments to the zoning  
 34 ordinance before unfinished business.

- 35 1. PROPOSAL TO AMEND THE ACCESSORY BUILDING ORDINANCE -SET PUBLIC
- 36 HEARING

37 **RESULT: ADOPTED [UNANIMOUS]**  
 38 **MOVER:** J. Michael Rembor, Secretary  
 39 **SECONDER:** Paul Duggan, Vice -Chair  
 40 **AYES:** Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

41 Following Commission discussion, **Motion** by Mr. Rembor, seconded by Mr.  
 42 Duggan to set a public hearing for April 19, 2017 at 7:00 p.m.  
 43 **Motion passed unanimously.**

- 44 2. PROPOSAL FOR "UPDATING/HOUSEKEEPING/CLARIFICATION" ORDINANCE
- 45 AMENDMENTS - SET PUBLIC HEARING

46 **RESULT: ADOPTED [UNANIMOUS]**  
 47 **MOVER:** J. Michael Rembor, Secretary  
 48 **SECONDER:** Paul Duggan, Vice -Chair  
 49 **AYES:** Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

50 Following Commission discussion, **Motion** by Mr. Rembor, seconded by Mr.  
 51 Duggan to set a public hearing for April 19, 2017 at 7:00 p.m.  
 52 **Motion passed unanimously.**

- 53 3. PROPOSAL TO STRIKE THE "NON-CONFORMING" CLAUSE FROM THE LAND DIVISION
- 54 ORDINANCE - SET PUBLIC HEARING

Minutes Acceptance: Minutes of Mar 15, 2017 7:00 PM (APPROVAL OF MINUTES)

55 **RESULT: ADOPTED [UNANIMOUS]**  
 56 **MOVER:** J. Michael Rembor, Secretary  
 57 **SECONDER:** Paul Duggan, Vice -Chair  
 58 **AYES:** Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

59 Chairman Misek introduced the topic and informed the Commission of the case  
 60 that the zoning board of appeals heard that was subsequently referred to the land  
 61 division committee regarding section 241.008 of the land division section of the  
 62 zoning ordinance.  
 63

64 **Motion by Mr. Rembor, seconded by Mr. Duggan to set a public hearing for**  
 65 **April 19, 2017 at 7:00 p.m. Motion passed unanimously.**

66 **4. UNFINISHED BUSINESS**

67 1. ACCESSORY DWELLING UNITS; DISCUSSION/ACTION PROPOSAL(S)

68 **RESULT: DISCUSSION**

69 Chairman Misek introduced the topic and the commission discussed  
 70 the relative benefits of ECHO structures. Mr. Lomako will provide  
 71 additional review and amendments to the sample Davison Township  
 72 Ordinance.

73 **X. BOARD COMMENTS**

74 NONE

75 **XI. PUBLIC COMMENTS**

76 NONE

77 **XII. ADJOURNMENT**

78 1. Motion to Adjourn

79 **RESULT: ADOPTED [UNANIMOUS]**  
 80 **MOVER:** Paul Duggan, Vice -Chair  
 81 **SECONDER:** J. Michael Rembor, Secretary  
 82 **AYES:** Misek, Rembor, Duggan, Major, Birkner, Lusty, Tenbrink

Minutes Acceptance: Minutes of Mar 15, 2017 7:00 PM (APPROVAL OF MINUTES)

## Proposed Zoning Text Amendment-April 19, 2017 Public Hearing

The strikethrough shall be removed and replaced with the bold text.

### Section 300.1302 D. *Site Plan Review Procedures*

2. Any person with legal interest in a lot or parcel may apply for a review of a site plan by filing completed application forms, the requisite non-refundable fee, and ~~18 copies~~ **(13) hard copies plus (1) electronic copy** of required site plan contents with the township Clerk.

## Proposed Zoning Text Amendment-April 19, 2017 Public Hearing

The bold text shall be inserted.

### Section 300.201

Section 2.30. *Lot.* For purposes of this Ordinance, a lot is a parcel of land, **maintaining a generally symmetrical and proportional size and shape from its front to its rear where possible, as determined the Land Division Board, building official, and/or Planning Commission,** of at least sufficient size to meet minimum zoning requirements for use, coverage, and area, and to provide such yards and other open space as herein required. Such lot shall have frontage on an approved public street, or on an approved private street and may consist of:

- A. A single lot of record;
- B. A portion of a lot of record;
- C. A combination of contiguous lots of record.
- D. A parcel of land described by metes and bounds.

**Proposed Zoning Text Amendment-April 19, 2017 Public Hearing**

The strikethrough shall be removed and replaced with the bold text.

**300.504 Area**

~~Sec. 5.04. Minimum lot area for residential purposes shall be one acre, unless an on-site sanitary sewage system other than a conventional system is used, in which case the minimum area shall be two acre with a minimum frontage of 150 feet. Where a conventional on-site sewage system is used the depth of the created after the date of enactment of this ordinance shall not be greater than four times their width which shall be a minimum of 125 feet.~~

**300.504 Area**

**Sec. 5.04. The minimum lot area and frontage requirements for a lot fronting on a road having curb and gutter shall be one (1) acre and 125 feet, respectively. The minimum lot area and frontage requirements for a lot fronting on an open ditch road shall be one (1) acre and 150 feet, respectively. However, lots not serviced by a conventional on-site sanitary sewage system shall be at least two (2) acres in size with a minimum frontage of 150 feet. In all cases, the depth of any residential lot shall not be greater than four (4) times its width.**

Attachment: Public Hearing April 19 2017 (2221 : PUBLIC HEARING FOR PROPOSED TEXT AMENDMENTS)

## **Proposed Zoning Text Amendment-April 19, 2017 Public Hearing**

The strikethrough shall be removed, and the subsections re-lettered as in bold.

### 241.008 Allowance for approval of other land divisions.

Sec. VIII. Notwithstanding disqualification from approval pursuant to this ordinance, a proposed land division which does not fully comply with the applicable lot, yard, accessibility and area requirements of the applicable zoning ordinance or this Ordinance may be approved in any of the following circumstances:

~~A. Where the applicant executes and records an affidavit or deed restriction with the County Register or Deeds, in a form acceptable to the municipality, designating the parcel as "not buildable". Any such parcel shall also be designated as "not buildable" in the municipal records, and shall not thereafter be the subject of a request to the Zoning Board of Appeals for variance relief from the applicable lot and/or area requirements, and shall not be developed with any building or above ground structure exceeding four feet in height and shall not be used for human habitation.~~

- A.** Where, in circumstances not covered by paragraph A above, the Zoning Board of Appeals has, previous to the application for division, granted a variance from the lot, yard, ratio, frontage and/or area requirements with which the parcel failed to comply.
- B.** Where the proposed land division involves only the minor adjustment of a common boundary line or involves a conveyance between adjoining properties which does not result in either parcel violating this Ordinance, any applicable zoning ordinance, or the State Land Division Act.
- C.** Approved site plans may not be modified by this ordinance or it's amendments.



## Proposed Zoning Text Amendment-April 19, 2017 Public Hearing

The strikethrough shall be removed, and the bold text inserted.

### Section 300.331 Accessory Buildings

2. **Except as provided below**, accessory buildings shall ~~not be erected in any yard, except the n~~ required rear yard. Accessory buildings may be erected in any non-required side yard, provide they are constructed as a detached garage, with architectural features (including, but not limited to, the following: roof pitch, shingles, siding/brick, overhangs/soffiting/gutter, door and window design and trim) matching the existing main residential structure. **Further, accessory buildings may be erected in the non-required front yard subject to the following;**
  - (a) **The property upon which the building is proposed shall be 5 acres or larger in area**
  - (b) **No part of the building shall be located closer than 300 feet from the lot frontage road.**
  - (c) **The building shall be constructed with the same architectural features as non-required side yard detached garages above.**
  - (d) **The building official shall within 10 days of application receipt transmit, or cause to be transmitted, in writing, notice to all persons to whom property is assessed within 300 feet of the boundary of the property in question, and to occupants of all structures within 300 feet of the boundary of the property in question, regardless of whether the property or occupant is located in Atlas Township. If a tenant's name is not known, the term "occupant" may be used. The notice shall describe the nature of the proposed building, and include aerial pictometry showing the proposed building location. The notice shall request objections be transmitted to the building official in writing, and within 30 days of the notice transmission date.**
  - (e) **In the event that no objections are received by the building official, he/she shall follow the building permit procedure. If anyone noticed shall object, the applicant shall be required to seek a variance from the Zoning Board of Appeals.**