

DEXTER TOWNSHIP

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Planning & Zoning Status Report - May 8, 2015

PERMITS, ZBA APPLICATIONS, & VIOLATIONS

	April 2015	March 2015	April 2014	April 2013	April 2012	April 2011	April 2010	April 2009
Zoning Permits Issued	12	11	11	15	32	16	10	7
ZBA Applications Received	1	2	2	1	3	1	1	1
Blight Warnings/ Violations ¹	3	1	0	1	0	3	0	1
Zoning Warnings/ Violations ¹	4	2	0	0	0	1	2	2

1) The number of blight and zoning warnings/violations listed in the table does not include the number of courtesy letters or letters of inquiry sent by the Ordinance Officer.

A recent review of records indicated that there were a significant number of zoning permits issued between January 1, 2010, and December 31, 2013, that had not received a final certificate of zoning compliance. Staff has begun reviewing and closing those zoning permits.

PLANNING COMMISSION

April:

The Planning Commission meeting scheduled for April 28th was cancelled due to a lack of business.

May:

The Planning Commission meeting scheduled for May 26th has been cancelled due to lack of business.



ZONING BOARD OF APPEALS

April:

The Zoning Board of Appeals meeting scheduled for April 7th was cancelled due to a lack of business.

May:

The Zoning Board of Appeals meeting scheduled for May 5th has been rescheduled to May 6th, due to an election. It will hold a public hearing with the following agenda:

ZBA Case	Zoning	Project	Request	Result
(15-ZBA-802) Toth 13741 North Lake (D-04-18-133-002)	LR	Deck addition	Reduced front-yard (water) setback of twenty-two point five (22.5) feet rather than the fifty (50) feet required.	Approved
(15-ZBA-803) Vogan 9730 Dexter-Pinckney (D-04-02-402-024)	RR	New, detached accessory building	Increased lot coverage for accessory buildings of one thousand seven hundred eleven (1,711) feet rather than the one thousand (1,000) feet allowed.	Denied

June:

The Zoning Board of Appeals will meet on June 2nd. It will hold a public hearing with the following agenda:

ZBA Case	Zoning	Project	Request
(15-ZBA-804) Huddleston 9834 Winston (D-04-02-175-014)	LR	New, two-story house and attached deck	Reduced front-yard (water) setback of thirty-eight (38) feet rather than the fifty (50) feet required. Reduced waterbody setback for an at-grade deck of twenty-eight (28) feet rather than the thirty-five (35) feet required.

ZONING ORDINANCE REVISION

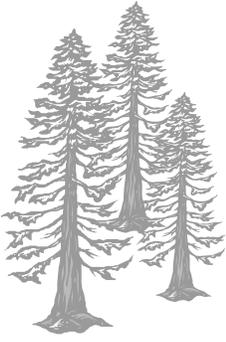
The Zoning Ordinance Review Committee met on April 7th and April 28th. It reviewed the Amendment Article and the Site Plan Article. Future meeting dates are May 12th, additional meeting dates may be added.

All Zoning Ordinance Review Committee meetings are being noticed at the Township Hall and on the Township's website. Materials are available to the public on the website at:

<http://www.dextertownship.org/BoardCommission/ZoningOrdinanceReview.aspx>.

Minutes from the April 7th and April 28th meetings are included.

Respectfully Submitted,
 Zach Michels
 Dexter Township Director of Planning and Zoning



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KIMBERLY JORDAN,
RECORDING SECRETARY

MEETING OF THE ZONING ORDINANCE REVIEW COMMITTEE (PIZZA CLUB) April 7, 2015

Present: Tom Ehman (*Planning Commission*), Mike Howard (*Board of Trustees*), Tom Lewis (*Planning Commission*), and Brook Smith (*Zoning Board of Appeals*).

Also present: DPZ Zach Michels (*Director of Planning and Zoning*).

Absent: James Drolett (*Zoning Board of Appeals, with notice*).

The meeting was called to order at 6:04 PM.

I. Approval of Agenda - The agenda was adopted without objection.

II. Public Comment - *There were no members of the public present at the meeting.*

III. Action Items -

1) Amendment Article

All of the references below are taken from draft 04.02.2015.

In §x.05 Intent and Purpose, the following changes were made:

(A) will be amended to include “text and zoning map” amendments.

In §x.10 General Amendment Process, the following changes were made:

The introductory sentence will be amended to include “text and zoning map” amendments.

(A) Initiation will be amended to clarify that the property owner(s) are within the Township’s zoning jurisdiction. Non-residents still have the opportunity to speak to the Township Board of Planning Commission to convince them to initiate zoning ordinance amendments.

(G) Applicant's Responsibilities will be amended to clarify that there may be one or more signs. It will also be amended to make marking at the discretion of the Director of Planning and Zoning because for most zoning map amendment petitions the marking may not be informative but there may be some situations where it would be.

(I) Planning Commission Review will remain in this section and will be deleted from the other sections, except for a reference to here.

(J) Township Board Actions will remain in this section and will be deleted from the other sections, except for a reference to here. The introductory sentence will be amended to be more consistent with the same in (I) Planning Commission Review.

(J)(2) First Review and (J)(3) Additional Reviews will be amended to clarify that the intent is for the Township Board to following the Planning Commission's recommendation the first time it takes action, whether that is at one or multiple readings.

Ehman moved to delete the Conditional Zoning Map Amendment Section. There was not enough support for the motion to pass, but the topic is likely to be revisited at a later meeting with more members present.

Ehman moved to combine §x.15 Zoning Map Amendment and §x.25 Zoning Text Amendment. After much discussion about the potential benefits and negatives of such a combination, the Committee decided to postpone action to allow additional time to read Ehman's proposed text and consider the issue further.

In §x.30 Review of Ordinance, the following changes were made:

This entire section will be deleted.

In §x.35 Amendment Required by Court Decree, the following changes were made:

This section will be amended to include a reference to MCL, as is done in §x.40 Petition.

2) Site Plan Article

All of the references below are taken from draft 04.02.2015.

The Committee decided to go forward with no references to amended site plans in §x.35 Preliminary Site Plan Review Process, §x.40 Final Site Plan Review Process, and §x.45 Administrative Review Process. Instead, §x.50 Amended Site Plan Review Process will state that an amended site plan needs to be approved by the property owner and the original approving authority with references to the above sections, depending on what type of site plan is being amended.

In §x.05 Intent and Purpose, no changes were made.

In §x.10 Authority, no changes were made.

In §x.15 Site Plans Required, no changes were made at this time.

Ehman recommended including administrative site plan information in this section.

Attention will be given to this at a future time.

In §x.20 General Site Plan Provisions, the following changes were made:

(A) Combined Site Plan Review will be amended from “its opinion” to “their opinion.”

(C) Site Plans Requiring a Variance will be amended to require the variance before the preliminary site plan approval. “Final” and “combined” will be deleted.

(D) Site Plans for Special Land Uses will be amended by changing “time” to “meeting” and deletion of “combined.”

(E) Site Plans for Open Space Communities will be amended by changing “time” to “meeting” and deletion of “combined.”

(H) Conditions of Approval will be moved to between (K) Performance Guarantee and (L) Contact with Planning Commissioners.

In §x.25 General Site Plan Review Process, the following changes were made.

(D) Review of Completeness will be amended to business days and acceptance date following confirmation by staff that the proposed change is consistent with state statute concerning wireless communication facilities.

(J) Timely Decisions will be amended to acceptance date following confirmation by staff that the proposed change is consistent with state statute concerning wireless communication facilities.

(J)(2) Director of Planning and Zoning will be amended for to allow for a maximum review period of 30 days.

(O)(3)b Site Plan, (O)(3)c Condition of Approval, and (O)(3)d Commitments will be combined into one item.

In §x.30 Site Plan Information, the following changes were made:

Ehman moved to add a new section after (A) Site Plan Preparation that would not require administrative site plans to be prepared and stamped by a licensed professional engineer, architect, planner, landscape architect, or surveyor. There was not enough support to make the change at this time.

Sections not referenced above were not discussed at this meeting.

IV. Public Comment - *Public comment was received throughout the meeting with the consent of the Committee.*

V. Approval of the Meeting Minutes - Draft minutes of the March 31, 2015, meeting were adopted without objection.

VI. Future Agenda Items -

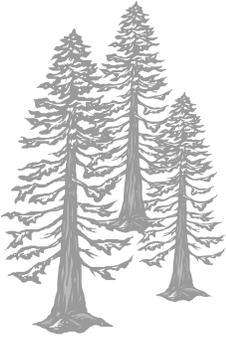
- 1) Site Plan Review Article;
- 2) Amendment Article;
- 3) DPZ Choice.

Adjournment - Meeting was adjourned at 9:35.

Respectfully submitted,

Zach Michels
Director of Planning & Zoning & Zoning
Ordinance Review Committee Recording
Secretary

adopted 04.28.2015



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KIMBERLY JORDAN,
RECORDING SECRETARY

MEETING OF THE ZONING ORDINANCE REVIEW COMMITTEE (PIZZA CLUB) April 28, 2015

Present: James Drolett (*Zoning Board of Appeals*), Tom Ehman (*Planning Commission*), Mike Howard (*Board of Trustees*), Tom Lewis (*Planning Commission*), and Brook Smith (*Zoning Board of Appeals*).

Also present: DPZ Zach Michels (*Director of Planning and Zoning*).

Absent: None.

The meeting was called to order at 6:00 PM.

I. Approval of Agenda - The agenda was adopted without objection.

There was a brief discussion about the status of the Sign Article amendment. Due to Township Attorney concerns, it was not presented to the Board of Trustees at their April 21st meeting.

II. Public Comment - Public comment was received throughout the meeting with the consent of the Committee.

III. Action Items -

1) Amendment Article

All of the references below are taken from draft 04.22.2015.

Discussion began concerning whether or not to allow for conditional zoning map amendments.

Those opposed to including it expressed the following concerns: there was a lack of transparency in the process, it could be used as extortion, problems following reversion.

Those in support of including it expressed the following benefits: it is a tool that provides flexibility for property owners, it allows for more creative applications.

Four of those present wanted to eliminate the section concerning conditional zoning map amendments. Two were opposed. One did not express an opinion.

In §x.20 Conditional Zoning Map Amendment, the following changes were made:

Items (1) through (4) under (B) Planning Commission Review will be deleted from this section and will remain in the general process section. Similar changes will be made in other sections of this Article.

Items (1) through (2) under (C) Township Board Review will be deleted from this section and will remain in the general process section. Similar changes will be made in other sections of this Article.

(D)(5) Demonstrated Need will be deleted.

(F) Zoning Agreement will have the last sentence referencing Township Attorney review deleted. This was added to provide more information for the Planning Commission during its review, but there was concern that the Township Attorney could inappropriately direct the zoning agreement terms.

(I) Reversion will be amended to describe the reversion process in greater detail.

Ehman moved to combine zoning map amendments and zoning text amendments into section. Smith supported motion. Following discussion, no action was taken.

Drolett moved for staff to prepare an alternate version without conditional zoning map amendments and with reduced redundancies. Ehman supported. Motion passed.

Sections not referenced above were not discussed at this meeting.

2) Site Plan Article

All of the references below are taken from draft 04.10.2015.

Discussion began with the intent and functioning of administrative site plans. It was determined that an administrative site plan for commercial uses could only occur if there was a site plan that was previously approved by the Planning Commission. An administrative site plan for a non-commercial use, such as a group day care home, would not require previous site plan approval by the Planning Commission.

In §x.30 Site Plan Information, the following changes were made:

Ehman moved to add a section between (A) Site Plan Preparation and (B) Readability that would not require administrative site plans be prepared by a professional engineer, architect, planner, landscape architect, or surveyor. There was not support to make this change.

(E) Nonapplicable Items, (F) Waiver of Information, (G) Combined Site Plan, (H) Amended Site Plan, and (D) Other Items will be relocated within this section before (C) Site Plan Data.

(F) Waiver of Information will be amended to allow the Director of Planning and Zoning, Planning Commission Chair (or designee), and the Township Engineer to grant waivers from certain information from the site plan. The Planning Commission will have the ability to rescind that waiver.

(2)e and (2)f were discussed. There was concern that the text would require this information for site plans where all of the work is within the interior of a large property. Possible options included adding language that the distances are to be measured from the area of construction or to more tightly define "site." Eventually, it was determined that the waiver of information would allow for the appropriate safety valve.

(2)h and (2)i will be amended from "300" feet to the abutting properties.

(2)i will be amended so that the applicant need not show the proposed use of abutting properties.

(3)b will be amended to not require this information for large-caliber trees located within woodlands.

(3)m and (3)n will be deleted.

(5)a will be amended from "proposed shrubs, trees, and other live plant materials" to "required live plan materials."

(5)i will be amended from "existing" to "remaining."

(11)h will be deleted.

Sections not referenced above were not discussed at this meeting.

IV. Public Comment - *Public comment was received throughout the meeting with the consent of the Committee.*

V. Approval of the Meeting Minutes - Draft minutes of the April 7, 2015, meeting were adopted without objection.

VI. Future Agenda Items -

- 1) Site Plan Review Article;
- 2) Amendment Article;
- 3) DPZ Choice.

Adjournment - Meeting was adjourned at 9:05.

Respectfully submitted,

Zach Michels
Director of Planning & Zoning & Zoning
Ordinance Review Committee Recording
Secretary

draft 04.29.2015