

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR SPECIAL MEETING OF APRIL 17, 2007**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER  
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairman Tucker called meeting to order at 6:39 p.m.

Present: Franz, Ochodnicky, Richard, Root, Spees, Tucker

Recording Secretaries McDonald & Sharich, Zoning Administrator, Piggott

Absent: Carlson, Ochodnicky, Spees

Secretary Pro-Tem Root chosen.

Carlson arrived at 7:40 p.m.

**DISCUSSION ITEMS:**

Sight line: Draft of new language

Piggott explained the following language was drafted as a result of the joint meeting with the Township Board and Zoning Board of Appeals to address parcels where the contiguous property(ies) are vacant:

**Sight Line** - A line across the width of a lake lot which connects the point closest to the lake on the foundation of the principle structure on either side of the lot or parcel of land upon which the proposed structure is to be constructed.

If there is no principle structures located on contiguous properties to the lot or parcel upon which the proposed structure is to be constructed the sight line will be established from the point closest to the lake on the foundation of the next structure within 300 feet on either side.

If there is not a structure within three hundred (300) feet on either side of the lot on which the proposed structure is to be built, the Zoning Administrator will establish a sight line intended to provide adequate protection of the view of the lake for future development in the area.

**SECTION 4.28** - On any lot or parcel touching a lake, no structure or barrier in excess of thirty (30) inches in height shall be erected beyond the sight line.

This sight line provision may be waived if the applicant can demonstrate by clear and convincing evidence that the lot or parcel on which the structure or barrier is to be constructed is a peninsula, a point, a bay, or otherwise positioned differently, (relative to the lake), thereby making the enforcement of the sight line provision ineffective as a means of preserving a riparian property owner's reasonable view of the lake.

The waiving of the sight line provision as described above shall be at the discretion of the Zoning Administrator.

Chairman Tucker called for audience comments, there were none. The Commission directed the language as presented be moved to public hearing for the May meeting.

Non-conforming lots of record - Combined as one tax parcel vs. under common ownership

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR SPECIAL MEETING OF APRIL 17, 2007**

Piggott explained 2 versions of Section 5.20 have been drafted. One version is the language the Planning Commission had recommended for the Township Board's approval in June of 2006. Piggott noted the other version was drafted after the joint meeting. He explained the 1<sup>st</sup> draft says, 2 or more legal lots of recorded under common ownership may not be treated as separate zoning lots unless they meet the requirements of the current ordinance. Discussions at the joint meeting emphasized 2 or more legal lots of record combined as 1 tax parcel. Piggott said he got the impression the more important issues surrounded lots combined as 1 tax parcel. The Commission agreed that lots combined as 1 tax parcel seem to be the primary concern. Chairman Tucker called for audience comment. George Dyball, 2462 Crane Wood said he had done a random sampling of the non-conforming lots that were of concern to the Lake Fenton Property Owners Association and it appears the 2<sup>nd</sup> version would address these concerns. The Commission directed the following language be moved to public hearing for the May meeting:

**SECTION 5.02 Non-conforming lots of record** - Two or more legal lots of record that were under common ownership and were not separate tax parcels at the time of the adoption of this amendment to the Ordinance (adoption date) may not be treated as separate zoning lots, except in compliance with the requirements of this Ordinance.

Definition of a Zoning Lot – The Commission discussed the definition and recalled that the public hearing and recommendation to the Township Board took place in June of 2006. On July 24, 2006, the Township Board postponed action on the proposed language and the definition of a zoning lot to arrange a joint meeting of the Board, Planning Commission and Zoning Board of Appeals to discuss the issue in detail. Chairman Tucker called for audience comments, there were none. The Commission directed the following language be moved to public hearing for the May meeting:

**Lot, Zoning** - A parcel of land that is designated by it's owner at the time of applying for a zoning permit as one lot, which is intended to be used, developed or built upon as a unit under single ownership. Such lot may consist of a single lot of record, or a combination of multiple lots of record or portions of lots of record that comply with the requirements of this Ordinance.

The Commission noted the recommendation that Ice Retardant Systems (bubblers) be prohibited was made at the June 2006 meeting. They asked that this be brought back to the table for the Township Boards consideration.

The following items were added at the meeting on 4-30-07

Landscape credit & reference to the 10% requirement – Chairman Tucker said he would meet with Township Staff to discuss these issues and prepare a draft to submit to the Commission.

Parking lot paving should require some kind of site plan review and approval – Piggott suggested several options. The Commission agreed to require a zoning permit for the paving of a parking lot, storm water will be regulated by the Township storm water management ordinance and standards for paving will be added to the parking and loading requirements of the Zoning Ordinance.

Temporary storage shelters

Piggott distributed 3 examples of how other communities are addressing these tent-like storage structures. Each example was briefly discussed. The Commission

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION  
MINUTES FOR SPECIAL MEETING OF APRIL 17, 2007**

agreed that these structures should be regulated. Staff will prepare a draft and present it to the Commission.

Revise lot partition ordinance

Piggott distributed the technical analysis of the Townships current lot partition ordinance. The Commission agreed to review the information and begin discussion at the next workshop.

Expiration of site plans Article 8.11 – Tucker stated concerns about how the time line is laid out in the Ordinance, he said the time limits need to be very clear.

The following issues will be forwarded to the next workshop agenda.

**OTHER ISSUES:**

Zoning Board of Appeals wants the Commission to take a look at 4.01c (Interpretation)

Subdivision control ordinance

Lighting is the standard in the Ordinance a minimum or maximum requirement

Landscaping, several issues need to be addressed including a mechanism to require additional buffering of residential rear yards when along the Township right of ways, woodland protection, preservation of existing trees, reevaluate buffering between uses (sewer treatment plant)

Citizen participation ordinance

Open space agreement language, PUD agreements?

Incorporate the Zoning Board of Appeals cases into the Zoning Ordinance

Storm Water Information – Spees

Economic Development – Richard

<b>MINUTES:</b>	March 20, 2007	stand approved as submitted
	March 28, 2007	stand approved as submitted
	April 3, 2007	stand approved as submitted

**ADJOURN:**

Meeting adjourned at 9:12 p.m.

---

John Tucker, Chairman  
Minutes Posted 04/18/07

---

Sandra Carlson, Secretary