

CLAYTON TOWNSHIP PLANNING COMMISSION
July 19, 2016, 7:00 p.m.
Clayton Township Hall

CALL TO ORDER

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

PLEDGE TO THE FLAG

Mr. Kevin DePottey led the Pledge to the Flag.

ROLL CALL

Present: Ryan Bower, Kevin DePottey, Ed McCartney, Dennis Milem, Dr. William Shaw, Robert Widigan

Absent: Susan Hyde

Others Present: Ted Henry, Zoning and Building Administrator, Ken Tucker, Attorney, Deanna Turner, Stenographer

APPROVE PROPOSED AGENDA

Motion by Widigan, supported by DePottey to approve the proposed agenda for the July 19, 2016 Clayton Township Planning Commission meeting.

MOTION CARRIED.

APPROVAL OF MINUTES

Motion by Widigan, supported by DePottey to approve the minutes of the June 21, 2016 Clayton Township Planning Commission meeting.

MOTION CARRIED.

COMMUNICATION

Mr. Milem said he would like to move the August Planning Commission meeting to August 24 due to other conflicts in August pertaining to the primary election.

Motion by Widigan, supported by DePottey to move the August Planning Commission meeting to Wednesday, August 24, 2016.

MOTION CARRIED.

Dr. Shaw referred to a communication from the Mass Transit Authority.

REPORT OF OFFICERS & COMMITTEES

Mr. Henry said he has had several different requests the last few weeks. A resident wants to build a deer camp on a 30-acre parcel. There is also a request for two horses on 8.9 acres.

Mr. Milem said they were taught in those meetings that the Right to Farm Act does not trump local ordinance. Mr. Henry said it does it if mentions AG in the zoning. Mr. McCartney said that the property is less than 10 acres. A discussion ensued.

Mr. Milem said someone cannot build a hunting camp if there is no house on it; he is just going by the ordinance. Mr. DePottey said that if it has well, septic, and everything else; it's like a cabin. Mr. Milem said it would have to be a minimum of 1,250 square feet.

Mr. Henry gave an update on the Clayton Party Store Market. He said they are having a meeting tomorrow and he believes the owner has everything in order to finally do the land division. A new well was approved by the County Health Department. They are moving forward with just the market because it is already established use. Mr. Milem said the canopy is a different story.

PUBLIC COMMENT

Mr. Tom Storey said the planning commission reviewed accessory buildings in the past year. He asked if it ever moved forward. Dr. Shaw stated that it is in the ordinance book.

Mr. Larry Widigan, Chairman of the Lennon Planning Commission introduced himself and the Vice-Chairperson, Byron Vowell. They are present only to observe how a planning commission meeting is ran. They haven't had a meeting in four years.

OLD BUSINESS

ACCESSORY BLDG ORDINANCE

Mr. Henry said he distributed the Flint Township Zoning Ordinance for accessory buildings. He pointed out that accessory buildings cannot cover more than 30% of any rear yard.

Mr. Widigan asked about the ordinances for Mt. Morris and Genesee townships. Mr. Henry said he believes Mt. Morris Township is more flexible and he isn't sure about Genesee Township.

A discussion ensued regarding RV sizes and the necessary building sizes to cover an RV.

Mr. McCartney asked about single story homes. Mr. Henry asked how requests are sorted case by case.

Mr. Milem said a lot of things would have to come before the Zoning Board of Appeals unless you can come up with a way to differentiate. Mr. McCartney said to allow that size building, you would have to restrict land, as to what size the lot is.

Mr. Henry said if you have a deck, the back line of the major portion of the house is where the line runs from. The offset is included in the 30%.

Mr. Milem said the page they have in front of them is wrong. They amended the ordinance back in 2014 and there is no way to take it off-line. He said he would make copies of the new one. Mr. Henry said it was in last month's packet.

Mr. Milem said he doesn't think they are talking about changing the area. Mr. Henry said 28x48 is less than 24 feet. Mr. McCartney asked on how many acres? Mr. Milem said someone would need two-three acres to build a building of that size. If you change the height you have to change the size of the building. Mr. Henry said he thinks 25 feet is a reasonable number. Mr. McCartney said depending on what size lot you have. Mr. DePottey said they are allowed 20 feet already.

A discussion ensued.

Mr. DePottey pointed out that they are never going to fit everyone's plans or make every resident happy.

Mr. McCartney said changing the ordinance costs time and money. Mr. Henry asked if it was possible to look at actual zoning. Mr. Milem said that it would have to be changed in all residential districts. Mr. Tucker said there is no legal requirement to change it. It's a decision the board would decide. There is no legal requirement to change it all residential districts. When you review one, you draw distinctions in areas or a reason for it.

A discussion ensued.

Motion by DePottey, supported by Widigan to leave smaller parcels 0.999 or less and change 1-1.999 acres to allow a maximum of 25 feet.

MOTION CARRIED, Shaw opposed.

Mr. Milem said he would schedule the public hearing.

Mr. Widigan said that from 1-9.99 acres allows for two accessory buildings; from 10-19.999 allows for three accessory buildings; 20 acres on up allows for four accessory buildings. He said that 5-9.999 acres and only two buildings is not a lot. Mr. Henry said they also need to look at their definition of accessory buildings.

Mr. Widigan asked if that would include a greenhouse or garden house. Mr. Henry said what about a pavilion or gazebo. Mr. Milem said he doesn't know why one would need more than three accessory buildings. Mr. McCartney said if an accessory building is too small, then tear it down and build what you need. Mr. DePottey added or put an addition to an existing building.

Mr. Widigan said what if someone already has two accessory buildings on nine acres and wants to build a greenhouse. Mr. Milem said attach it to your house. Mr. Widigan asked if a gazebo would be considered an accessory building. Mr. Milem said he doesn't think it would. Mr. DePottey said an accessory structure has enclosed walls. Mr. Milem said what about three-sided buildings. Mr. Henry asked where a carport comes in.

A discussion ensued.

Motion by Mr. Widigan, supported by DePottey to allow three accessory buildings on parcels that are 5-9.999 acres.

MOTION CARRIED.

NEW BUSINESS

None.

ADDITIONAL ITEMS

None.

ADDITIONAL COMMENTS

A discussion ensued regarding the scheduling of the public hearing.

ADJOURNMENT

Motion by DePottey, supported by Widigan to adjourn the Planning Commission meeting at 8:17 p.m.