

**CHARTER TOWNSHIP OF CLAYTON  
PLANNING COMMISSION MEETING MINUTES  
October 16, 2018**

**ROLL CALL**

**Members Present:** DePottey, McCartney, Dennings, Milem, Spillane, Sippert

**Members Absent:** Suski

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

**APPROVE PROPOSED AGENDA**

**Action Taken:** Motion by McCartney, supported by Spillane, to approve the proposed agenda of the October 16, 2018 Clayton Township Planning Commission meeting.

**MOTION CARRIED.**

**APPROVAL OF MINUTES AUGUST 21, 2018**

**Action Taken:** Motion by Milem, supported by Sippert, to approve the minutes of the August 21, 2018 Clayton Township Planning Commission meeting, as submitted.

**MOTION CARRIED.**

**COMMUNICATION**

Mr. DePottey said that Eagle Quest has revived their site plan for the golf course site, which is now a subdivision. Mr. Henry said they wanted to make sure that it was looked at in the master plan. Mr. DePottey said that it was not brought back to Planning in 2015 and there is no golf course on there anymore. He said they are updating to multi-family and single family; commercial family is in there, too. Mr. Milem asked if they want to put a PUD in there. Mr. DePottey said they are requesting the site be looking at in consideration with the master plan.

**REPORT OF OFFICERS AND COMMITTEES**

None.

**PUBLIC COMMENT**

None.

**OLD BUSINESS/DISCUSSIONS**

- 1. The Township Board Decision on R18-03, Robert Beahlen**

Mr. Milem said the request was approved at the September board meeting, per the recommendation made by Planning. Mr. Milem said Mr. Beahlen was not present at the board meeting and they haven't heard from him. Mr. Spillane said the sale sign for the house is still out there. Mr. Henry said there has not been a land division yet. Mr. Milem said maybe they are waiting to sell the house first.

## **NEW BUSINESS/DISCUSSIONS**

### **1. Accessory Structures, Ordinance 152,27**

Mr. DePottey said he spoke with Mr. Henry regarding making modifications to increase sidewall height. He said people want to build a structure they can get RVs and campers into. The ordinance is tied to the height of the principal structure. If you have a ranch, you are stuck with how tall the accessory building can be.

Mr. Sippert asked what is the maximum sidewall height allowed now. Mr. DePottey said it is nine feet now. Mr. McCartney asked how tall do people want. Mr. Spillane said someone won't get a 5<sup>th</sup> wheel camper in there unless it's 14 or 15 feet. Mr. Henry said someone would have to build using scissor trusses. Mr. DePottey said they can have a 10-foot sidewall with scissor trusses to get an RV in it.

Mr. Milem said he thought they had already solved the problem. Mr. Henry said not for an acre or less. Mr. DePottey said for one-five acres it is 25 feet.

Mr. Dennings asked what was the catalyst for the discussion. Mr. Henry said that people are coming in wanting to build bigger, taller buildings. Mr. Henry said he thinks a 10-foot sidewall would be appropriate.

Mr. Sippert asked if there are any neighborhoods that have deed restrictions. Mr. Henry said Cole Creek and they would require a letter from the association. Hidden Creek has an association.

Mr. Spillane said he thinks a 10-foot sidewall is more than fair for less than an acre.

**Action Taken:** Motion by Sippert, supported by Spillane, to recommend to the township board to increase the sidewall height from nine feet to 10 feet, or parcels that are .99 acre or less in size.

### **ROLL CALL VOTE:**

Yeas: McCartney, Dennings, Milem, Spillane, Sippert, DePottey

Nays: None.

### **MOTION CARRIED UNANIMOUSLY.**

Mr. DePottey said they have discussed changing or adjusting the setbacks. Mr. Henry said not the 10-feet from the principal building, but from the side property lines.

Mr. Sippert asked why they would want to do that. Mr. DePottey said to use the property more. Mr. Sippert said it infringes on the neighbors.

Mr. Henry said Flint Township went to three feet and moved it back to five feet. He said in Clayton, it is 10-feet off the lot line. He said older residents don't want their shed too far from their house.

Mr. Milem asked if it affects structures that require a building permit. Mr. Henry said, no. Mr. Milem said he doesn't think he would like an accessory structure to be closer to his lot line. He asked should they change the whole ordinance to accommodate one person.

Mr. Sippert said when you think about pie-shaped lots, buildings gets closer to the lot lines and it feels like your neighbor's shed in your own backyard. He said he likes the 10-foot setback in that configuration.

**Action Taken:** Motion by Dennings, supported by Sippert, to recommend to the township board to leave the setback requirements for detached accessory buildings at 10 feet.

**ROLL CALL VOTE:**

Yeas: Dennings, Milem, Spillane, Sippert, DePottey, McCartney

Nays: None.

**MOTION CARRIED UNANIMOUSLY**

Mr. DePottey said they wanted to review the number of accessory structures on lots that are .499 or less and .5 to .999. He would like to at least see .499-.999 adjusted to two accessory structures, either two smaller buildings or one large one.

Mr. Spillane said two buildings shouldn't exceed the total allowable square footage.

Mr. Sippert asked if that happens a lot; do people want two buildings. Mr. Henry said, yes, a lot.

Mr. McCartney asked if they don't have room to add onto the current barn, will they have room to add another building. Mr. Henry said most subs have sewers.

Mr. Henry said some people just want to add a garden shed, or a playhouse. Mr. McCartney asked if a gazebo is considered an accessory building. Mr. DePottey said, yes. Mr. Henry said more and more municipalities are labeling them differently than accessory buildings.

Mr. Milem said two accessory buildings should not exceed 1,000 square feet. He said some people want to build a 10x12 cabana at the end of their pool, but they cannot because it's considered an accessory structure.

**Action Taken:** Motion by Spillane, supported by Sippert, to recommend to the township board no change to the number of permitted accessory buildings on .5-.999.

**ROLL CALL VOTE:**

Yeas: Spillane, Sippert, Dennings  
Nays: Milem, DePottey, McCartney

**MOTION FAILED.**

**Action Taken:** Motion by Milem, supported by Dennings, to recommend to the township board to allow two accessory buildings on .5-.999 lots; only one building can exceed 200 square feet, with the maximum allowed 1,000 square feet for two buildings.

**ROLL CALL VOTE:**

Yeas: Milem, Spillane, DePottey, McCartney, Dennings  
Nays: Sippert

**MOTION CARRIED.**

Mr. Sippert said they need to look at addressing gazebos and smaller structures as something other than accessory buildings.

Mr. Henry said it's not building season and they have some time to make sure they don't have to review it again. Mr. Sippert asked Mr. Henry to bring back some recommendations at the next meeting.

Mr. Henry said another concern is storage containers that need to be addressed.

**2. Height, Bulk, Density, Area and Placement by Zoning District**

Mr. DePottey said with respect to time, this item will be on next month's agenda.

**ADDITIONAL ITEMS**

Mr. Henry said there are still people who have animals on less than 10 acres. Mr. Spillane asked what is the ruling on chickens. Mr. Henry said, 10 acres.

**ADDITIONAL COMMENTS**

None.

**ADJOURNMENT**

**Action Taken:** Motion by Sippert, supported by McCartney to adjourn the Planning Commission meeting at 7:35 p.m.

**MOTION CARRIED.**

Respectfully submitted,

Deanna Turner, Stenographer

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Kevin DePottey, Chairperson

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Dennis Milem, Secretary