

**Springfield Township
Planning Commission –Workshop Meeting
Minutes of November 4, 2004**

Call to Order: Chairperson Roger Lamont called the November 4, 2004 Workshop Meeting of the Springfield Township Planning Commission to order at 7:34 p.m. at the Springfield Township Civic Center, 12000 Davisburg Rd., Davisburg, MI 48350.

Attendance:

Commissioners Present

Roger Lamont
John Steckling
Paul Rabaut
Chris Moore
Ruth Ann Hines
Dean Baker
Gail Mann-Bowser

Commissioner(s) Absent

Staff Present

Leon Genre
Mary Blundy

Consultants Present

Dick Carlisle

Approval of Minutes: **None**

Approval of Agenda:

Commissioner Mann-Bowser noted under the Next Meeting Date, the Business Meeting should read November 15th, not November 18th.

- **Commissioner Rabaut moved to approve the agenda as amended. Commissioner Steckling supported the motion. Vote on the motion. Yes: Lamont, Steckling, Rabaut, Moore, Hines, Baker and Mann-Bowser; No: none. The motion carried by a 7 to 0 vote.**

Public Comment:

Mrs. Zona Sommers, 10730 Clark Rd., commented regarding a fire in Hills of Kingston. She noted that houses on both sides were damaged and with the Cluster Housing option, perhaps we should consider what types of building materials are to be used for safety reasons.

Public Hearing: **None**

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Unfinished Business:

1. Screening Fences & Walls Regarding Lakefront Lots (Section 16.13)

Mr. Dick Carlisle of Carlisle/Wortman explained that a simple amendment to this section might address the issue. Most communities regulate fencing along lakefront lots in order to prevent obstruction to views. Our current ordinance requires an open-air fence 50 feet from the shoreline; he suggested adding a definition to the ordinance for a "wall." Mr. Carlisle also suggested adding into the language of subsection 2 regarding lakefront lots. "Fences, walls and screening structures which are located between the main building and the lake shoreline." There is no definition of lake shoreline in our ordinance, but there is a definition in relationship to the ordinary high water mark.

Commissioner Mann-Bowser said she does not think people fenced properties on lakes but after reading Mr. Carlisle's revisions, she believes they make it more cut and dry and much more simple.

Commissioner Rabaut said he would not support having fences on lake properties between the house and the lakefront. He believes fences scar the view and protecting the view and the natural resources are consistent with Springfield Township's Master Plan. He believes any existing fencing should be brought into conformance if a fence is damaged or when a property is sold. Mr. Carlisle noted that zoning runs with land not with ownership. Commissioner Rabaut said he is also concerned with structures such as gazebos being built in setback areas.

Commissioner Moore commented that he agrees with the changes Mr. Carlisle is proposing to the ordinance. He likes the corridor on the examples that Mr. Carlisle provided previously.

Commissioner Steckling said he agrees with the comments made by Commissioner Rabaut and believes fencing should not be allowed on the lakeside. Boathouses and gazebos can be equally offensive. He believes fences on lakefront lots should be prohibited or at the very least be made very short.

Commissioner Hines said she struggles with the need to balance the homeowner's rights with the need to consider neighbors' rights. She believes we do need to regulate the type of fencing allowed. A 3-foot high fence is maximum on a corner lot, and she feels if we allow a structure between the main structure and the water perhaps 3-feet high should be the standard. Commissioner Hines noted that large trees and landscaping can obstruct views too but are we supposed to not allow that either.

Chairperson Lamont thanked Mr. Carlisle for the research and information regarding lakefront screening from several surrounding areas. Chairperson Lamont said he is in favor of a simple ordinance amendment and definitions of walls, screening and fences should be included as well as natural vegetation noted by Commissioner Hines. He does like the fact that some communities require permits for fences, and thinks we may want to consider this avenue and believes the finished side of a fence should be on the outside. He would not support anything

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higher than a 3-foot fence, natural or otherwise and is in favor of no fencing on lakefront lots but realizes that we must consider the rights of every homeowner.

Mr. Carlisle asked the Planning Commission what the end result is in regard to fences on lakefront lots? Commissioner Rabaut said he is in favor of not allowing fences at all. Commissioner Hines said she would be in favor of fencing if 3-feet high were the limit. Commissioner Steckling said he could live with the 3-foot fence height on lakefront properties. Commissioner Moore said he could also accept a 3-foot high fence. Commissioner Mann-Bowser said she is in favor of not allowing fences at all. Commissioner Baker said he has no problem with a 3-foot fence as long as it is of decorative quality. Chairperson Lamont said he would be in favor of allowing 3-foot high fencing.

Chairperson Lamont asked the Planning Commissioners how they feel about requiring permits to construct fences as he believes the permit would help achieve the goal of monitoring the fence while it is being constructed instead of having to enforce the issue after it has been completed.

Mr. Dennis Vallad, 8684 Sunsetcove, commented that we have several lakes that are in varying ages with development and many different situations. Deed restrictions, Master Deed's and ByLaws, and lake associations apply that have no power over the fencing. They all have different rules some of which allow fences and some of which do not allow fences. He cautioned the Planning Commission to take all of this into consideration before they start changing the ordinance regarding fencing on lakefront lots.

Commissioner Steckling said he believes requiring a permit for fencing is a good idea. Commissioner Hines said she is against it and is tired of having resident's pull permits for everything they want to do on their own property. Commissioner Moore said he is undecided at this time about permits. Commissioner Rabaut said a requiring a permit is overkill. Commissioner Mann-Bowser and Commissioner Baker agreed that it might be overkill. Chairperson Lamont said he likes the idea of requiring the permit.

The Planning Commissioners agreed that a 6-foot height maximum for all other fences in general is a good idea.

2. Office Services and C-1 and C-2

Mr. Carlisle summarized the changes made to these districts as were discussed at previous meetings. He noted that definitions were changed as requested by the Planning Commissioners previously. "Fitness Facility" has been defined as 5,000 square feet or less and "Fitness Sports Club" is now defined as larger than 5,000 square feet. Subsection "e" under Daycare Centers, he added the word "fenced" as requested. Chairperson Lamont said he thinks that the daycare center section in both C-1 and OS should be the same wording and they are not. Mr. Carlisle said he would fix this. Mr. Carlisle said on page 20, section I, he added this paragraph regarding storage trailers at the request of Leon Genre.

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Commissioner Hines commented regarding Section 7 under Adult Businesses, that paragraph 3, is basically stating the same thing as paragraph 1 and feels it could be removed. The Planning Commissioners agreed and Mr. Carlisle said he would remove paragraph #3.

- **Commissioner Steckling moved to set a Public Hearing at the next available date for amendments to the Zoning Ordinance, specifically Sections presented by Carlisle/Wortman, Office Service, C-1 and C-2 Districts and to place it on the next Workshop Agenda to review the final copy. Commissioner Rabaut supported the motion. Vote on the motion. Yes: Lamont, Steckling, Rabaut, Baker, Moore, Hines and Mann-Bowser; No: none.**

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3. Seasonal/Transient Sales

Mr. Carlisle explained that he provided a draft to Supervisor Walls and Leon Genre. They reviewed this draft and made comments and resubmitted to Carlisle/Wortman. Mr. Genre said he likes the ordinance the way it is now presented. It gives authority to him to allow temporary seasonal sales tents, as they now must go through the ZBA. Mr. Genre said this ordinance is very workable and regulated very well. Mr. Genre said under paragraph 2.f, it should use the word "sign" not "banner." The Commissioners agreed and Mr. Carlisle said he would change it.

Commissioner Moore commented that under paragraph 2.d., "The Township" should be changed to "The Building Department." Commissioner Steckling asked about fees? Mr. Genre said we have a separate fee ordinance that would be amended by the Township Board.

Mr. Carlisle said he would make the requested changes and resubmit to the Planning Commission for the December Workshop Meeting.

New Business: None

Other Business:

1. Priority List

Office Services and C-1 and C-2 was set for Public Hearing and a final copy will be placed on the 12/2/04 agenda. Review Screening, Fences and Wall for Lakefront Lots was sent back to Carlisle/Wortman for revisions and will be placed on the 12/2/04 agenda for discussion. Temporary Outdoor Sales/Tents will be back for discussion at the 12/2/04 meeting. In regard to the Hamlet of Davisburg, Mary Blundy commented that she would submit a recap of her meeting with business owners in writing to the Planning Commission for the December Workshop Meeting. Proposal to rezone properties at Andersonville & Farley Roads is To Be Determined.

Commissioner Hines asked to change "Review Screening, Fences and Walls for Lakefront Lots" to read "Review Screening, Fences and Walls for Ordinance 16.13."

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Adjournment:

Hearing no other business, Chairperson Lamont adjourned the meeting at 10:20 p.m.

Susan Weaver, Recording Secretary