

**Regular Scheduled Meeting
Lee Township Planning Commission
Tuesday, May 18, 2021**

The meeting was called to order by Mari Spraul at 7:05 p.m. Roll call was taken. Present: Lawrence Henry, Kathy Weaver, Marie Hickerson, Mari Spraul and Jeremy Paisley. There were 2 residents present.

Mari asked for any amendments to the agenda. Lawrence asked to add questions he had received from the board regarding the proposed zoning ordinances for the commission to discuss. Mari suggested we put that under new business, Lawrence agreed. Lawrence moved to approve the agenda as amended, Mari seconded, the agenda was approved.

Mari introduced Joe Rose from Rose Construction. Mari explained that Joe had purchased property at the southwest corner of M-20 and 7 Mile Rd. Mari had researched the property zoning as there were questions whether it was commercial or residential. Mari found that the property was zoned commercial. The current zoning map lists the property as residential but as Mari researched she found the property included a mobile home that was listed as residential which was a non-conformity since it has previously been zoned commercial. The research removed the non-conformity since Joe will be using the entire lot as commercial. Mari provided Joe with the paperwork verifying that the lot was commercial. Kathy asked if we had to change the master plan and the future land use map to show that the property is commercial. Mari said yes and that she would contact GIS to do that. Joe was at the meeting to propose a plan to put a building up to house a small construction company, mostly a place for employees to meet to go to work each day, Monday – Friday. Mari asked if he had looked at the site plan form for direction. Joe has an engineer and architect that are experienced in this, they are currently having it surveyed and once the survey is done, they will complete the site plan for review. Lawrence asked if Joe had thought about what equipment or building material would be out on the lot. Joe explained that they don't keep materials on site. Mari mentioned they may want to check with the fire department regarding inspections. Joe is familiar with some items that have to be addressed but he has a concern that while standing at the site, he could not see a fire hydrant. He plans to address this with Water District 1. Joe thanked the commission for their time.

Mari asked if there were any changes to the minutes from the March 23 meeting. Marie had noticed a typo, Kathy had caught and corrected. Mari mentioned that her last name was spelled incorrectly again. Mari also asked that in the March 23 minutes where it said Jeremy was absent to show that it was an excused absence. Mari moved to accept the minutes with the corrections. Lawrence seconded, the motion was approved.

Correspondences: Mari and Lawrence have had various zoning inquiries. Lawrence agreed and said he had passed most inquiries to Mari. Lawrence said a realtor had called asking about a piece of property on the corner of 7 Mile and M-20. Lawrence thought it was the property across from the old Club 20 site. Lawrence feels that it was the realtor that was representing Joe Rose. Lawrence also received a call asking how far along we were with the medical marijuana ordinances. The commission discussed the various places that could be used for the different types of medical marijuana facilities. Mari said

one of the other zoning inquiries was the greenhouse. Lawrence said this was the Scuba Club but the BP Gas Station. The building was purchased and Lawrence believes that will be turned into a greenhouse/nursery business. Lawrence had referred the realtor to Mari. Mari did not believe she had been contacted by a realtor regarding this. Mari stressed that we should all make sure we check before we give people any information. Mari asked Lawrence to forward the email to her if possible.

Mari said last year a gentleman brought came to the commission with a proposal to rezone a parcel of land south of West Olson Rd on M-30 on the west side of the road. He would like to open an auto sales lot. Mari looked at the Master Plan and Future Land Use Map and it is not zoned commercial. His options are to have the Master Plan amended which will take 3 or 4 months. We would have to amend the Master Plan, then he would have to ask to have it rezoned commercial. Mari would like to split this process up with the rest of the commission. Jeremy asked if he could get a special land use permit instead of rezoning. Mari explained that in order for it to be a special land use permit it has to be listed as special use in each zone that we have. The commission looked at the Township Planning and Zoning Decision making book and noted that auto dealerships were not listed under Residential Farming/Agriculture District for Permitted by Use or Special Land Uses, therefore a special land use permit would not help in this instance but under Commercial District. The commission talked about how to gauge the township's opinion on the rezoning question. Mari said she would get a PDF out to the commission to plan our next steps.

Mari said she had not had a chance to rewrite the application for the site plan and special use. She plans on keeping the site plan application the same with the exception of changing the site plan fee of \$500.00 site plan fee. Lawrence wondered if Mari could act as if that had gotten approved because some of the board members wanted to see the actual forms and fee schedule before they approve the new ordinances. Mari said the fee schedule had been approved. Lawrence said he is giving information he received.

New Business: Mari asked if we had all read the Township Decision Making book. The commission talked about site plan visit, starting with the preparation. The first thing that was stressed was interaction with public should only occur during a planning commission meeting. The person should be invited to a planning commission meeting so the entire commission hears the same information. Mari reminded us to never reply to all on an email because it is a violation of the open meetings act. Mari reminded us that our duty is to the township and what is best for the township. Mari reviewed the site visit process. The commission went over the process for a public hearing. The commission also reviewed the actions that can be taken for a site plan. Marie suggested we create a checklist that we could take to a site visit to make sure we check all aspects. After discussion Kathy offered to create a documents, share to google drive so all people can make editing comments.

Board Questions:

- 1.) Home Occupancy: If people are working from home and has 4 designated parking spaces are they grandfathered in on the new ordinance or would they have to get rid of 2 of the spaces under the new ordinance? Jeremy suggested they should be grandfathered. Mari reminded people that this is a home occupancy ordinance is no longer a special use so people don't have to go through a special use permit, no public hearing, saving money. The commission viewed

the use standards. The home occupation must be conducted entirely within the dwelling or an associated building. Mari reminded us that there were standards that have to be met.

- 2.) If you have a home business, why can you only have 1 vehicle in the yard for the business and how will that be enforced? Marie pointed out that if you had employees not from your family, it would become a home business which is different than a home occupation. Home business or cottage industry would be allowed more spaces. In the example given to the commission by Lawrence – square dance class, possibly more cars than just one, we looked at the ordinance: “Music, dance, arts, gardening, and crafts classes, and private tutoring and instruction, with home occupations limited to a maximum of five (5) pupils at any given time. Limits on pupils per class and classes per day or week for a home-based limited business shall be set by special use permit approval”. Lawrence pointed out that if people stay within the guideline of the ordinance they would not need to report it to the board. The planning commission looked at the sign ordinance regarding the number signs. The question was how many signs are you able to have if you have 2 different businesses operating out of your home or if you could have a sign at your drive and one by your house (since many people live off the road). It was pointed out that the sign ordinance may have to be changed because it is outdated. The sign ordinance does not specify the size and type of signs you can have.
- 3.) Why is commercial not marked for home occupation but you can live on the 2nd floor of a commercial building. Why can't the person living (non owner) have a home occupation? One of the stipulations of a home occupation is that it doesn't show any signs of a business. Home occupations are not allowed in commercial businesses because the primary purpose of the property is business not dwelling regardless of who is living in the apartment. Lawrence asked if this was something that should be added when the board takes the new ordinances to an attorney. Marie asked why it would matter if the site was already zoned commercial. It was decided to set this aside for further consideration. Lawrence suggested it could be added as an allowed business.
- 4.) Are roadside stands (vegetable stands, wood sales, etc) considered home occupations? Do they need a special use permit? The lemonade rules say it can only be out for a specific time. Under single family residential roadside stands are permitted by use. Residential farming district in the zoning book it allows roadside stands are permitted by use. Under allowable uses under the site plan amendment, lemonade stands or similar incidental sales activity is allowed under adult supervisor with 1 or more minor residents is permitted as a temporary home occupation. There is no time limit on the temporary lemonade stands. The person would have to look to see if any roadside stand is allowed and what type would be allowed. The roadside stands are not considered home occupations.
- 5.) With home auto shops, how do you know if they are following the regulations? How do you know if that person operating an auto repair shop with a permit? That type of business is not considered a home occupation, they would need a special use permit and would have to show how they are disposing of chemicals.
- 6.) Where are we at with the forms for Medical Marijuana? The board would like all the forms complete so they can see the whole plan of what the planning commission has for forms that need to be completed. Maybe the MTA site will have a generic form for us to utilize to start that process.
- 7.) Site planning – are there specific landscaping guidelines? The planning commission approves the landscaping but Lawrence pointed out that there were not guidelines as to what the

commission would expect. The general agreement was that the landscaping should be consistent with the area. The planning commission can always make recommendations.

- 8.) Once the site plan is accepted how do we plan as a township to assure people are following the plans as approved? The site plans have to be followed or the owner would have to correct the changes at their expense. Code Authority would be the enforcement branch of the process.
- 9.) If a site plan is denied, there is a 1 year waiting period before it can be resubmitted? Are there any exceptions to this? There are conditional approvals but that is different than a denial. A denial would be in effect for 365 days.
- 10.) What forms will be going with the site plan ordinances? Mari pointed out in the site plan application there is a checklist that goes with it. The application forms will be changed slightly. The board would also like a generic "who to call" list for new applicants that would direct them to the responsible parties for fire, sewage regulations, etc.
- 11.) If you're building a new house do you need a site plan – no, you need a building permit that gives specifications (at least one acre, etc).

Mari said once the ordinances are approved we need to have a workshop to put the new books together. Lawrence said the board was concerned that we may want to address the sign ordinance before they approve the site plan ordinance.

The commission went to the planning commission office since most of the members were not aware of it. Lawrence mentioned a resident had started a salvage yard on land parcels without a permit. Marie asked who enforced those regulations, at this time the board will be responsible for enforcing ordinance regulations. Mari said she had been approached by a person asking how the new Master Plan will be enforced.

At 9:56 p.m. Mari asked for public comment. There was no public comment. Public comment ended at 9:56 p.m.

Mari moved to close the meeting, Lawrence seconded the motion. All approved. The meeting ended at 9:57 p.m.