



FAX 810-231-4295
PHONE 810-231-1000

P.O. Box 157
10405 Merrill Road
Hamburg, Michigan 48139

**Hamburg Township
Planning Commission
Wednesday, September 16, 2020
7:00 P.M.**

1. CALL TO ORDER:

The meeting was called to order by Vice Chairman Muir

Present: Hamlin, Leabu, Muir & Priebe

Absent: Bohn, Muck & Koeble

Also Present: Scott Pacheco, Township Planner & Amy Steffens, Planning & Zoning Administrator

2. PLEDGE TO THE FLAG:

3. APPROVAL OF THE AGENDA:

Motion by Hamlin, supported by Leabu

To approve the agenda as presented

Voice Vote: Ayes: 4

Nays: 0

Absent: 3

MOTION CARRIED

4. APPROVAL OF MINUTES:

Commissioner Muir stated that he was both listed as absent and making a motion. Pacheco stated that we will review the tape and make that correction.

a) July 15, 2020 Planning Commission Meeting Minutes

Motion by Hamlin, supported by Priebe

To approve the minutes of the July 15, 2020 as corrected

Voice Vote: Ayes: 4

Nays: 0

Absent: 3

MOTION CARRIED

5. CALL TO THE PUBLIC:

Vice Chairman Muir opened the call to the public. Hearing no comment, the call was closed.

6. NEW BUSINESS:

- a) ZTA20-003 (Public Hearing): Zoning Text Amendment (ZTA 20-003) to revise the Township Zoning Ordinance to allow detached accessory dwelling units (ADUs) on lots that abut a waterbody or have access

to a water body in the Water Front Residential (WFR) and Natural River (NR) Zoning District. This change would amend the regulations on Section 8.27 Accessory Dwelling Units of the Zoning Ordinance.

Vice Chairman Muir opened the public Hearing. Hearing no comment, the call was closed.

Scott Pacheco, Township Planner stated that the Commission has discussed this multiple times. The only change is to add the word "detached" under section 8.27.1 (J) so that detached Accessory Dwelling Units shall not be permitted on lots within the Waterfront Residential and Natural Rivers Districts that abuts a waterbody or have access to a waterbody. This means that "attached" Accessory Dwelling Units will be permitted in those districts. This has been noticed for a public hearing. We just need a recommendation to take it forward to the Township Board.

Commissioner Hamlin discussed the allowable gross floor area and asked if you would need a variance to exceed that amount. Planner Pacheco stated that you would, but they would probably not grant a variance. If they were to grant it to you, why would they not grant it for everybody. He stated that the reason this was created was to have a distinction between the accessory structure and the principal structure. If you wanted that, you would have to ask for a zoning text amendment to change it for everybody. Further discussion was held on the limits of square footage.

Pacheco explained and clarified the regulations as requested by Commissioner Hamlin. Discussion was held on the number of non-conforming lots that would require Planning Commission review. Pacheco stated that this would be an administrative approval by the Planning Commission, not a public hearing. Further discussion was held on why this was put in the ordinance. Pacheco stated that we could bring it up at our February joint meeting to see if the Board would be willing to let us change that.

Discussion was held on the definitions of attached and detached and how the buildings must be connected.

Discussion was held on getting this approved and then work on some of the individual requirements.

Motion Priebe, supported by Leabu

To recommended to the Township Board the Draft Zoning Text Amendment ZTA 20-003, Section 8.27 Accessory Dwelling Units of the Zoning Ordinance

Voice Vote: Ayes: 4

Nays: 0

Absent: 3

MOTION CARRIED

- b)** Discussion of ZTA 20-004 Riparian Frontage Regulations (Public Hearing): Proposed Zoning Text Amendment to required minimum riparian frontage regulations for newly created waterfront lots and existing lots with newly created riparian frontage. The draft regulations would amend Article 2 and Article 9, Section 9.5 and 9.7.

Township Planner Pacheco stated that this is creating access to the water under new land divisions or boundary adjustments. He presented some examples. We currently do not have regulations to prohibit these from happening. He discussed the keyholing ordinance which does not deal with the simple ownership issues. We decided that we need to have some type of riparian frontage requirements so that if you are creating a new lot on the water frontage or boundary adjustment, you need to meet some type of requirement. He presented two options. The first option works off the requirements in the keyholing ordinance. He discussed those requirements. Option two would be that on newly waterfront lots or existing lots with newly created riparian frontage, the riparian frontage shall be the same as the lot width requirement for the zoning district in which the lot is located. This is a much stricter requirement than option one. What we want to stop are the crazy land divisions and boundary adjustments that are trying to get away from our keyholing ordinance.

Discussion was held on how the riparian frontage is measured. Discussion was held on option one having a defined number rather than figuring angles, etc. Pacheco discussed the yard encroachment section of the ordinance, Section

8.18.9 which requires that any structure shall be at least five feet from any side lot line. He discussed a situation where there is a lot at the corner. This would prohibit anyone from putting a dock to the side. That was not the intent of the ordinance. We are thinking that it should say said structure shall be at least five feet from any lot line that does not abut the water. It is intended to keep it away from the lot lines that do not abut the water. He stated that he is going to propose a text change.

Planner Pacheco stated that this was for discussion purposes. He will go back and make those changes based on what he has heard, which is that the Commission would like to see changes to the riparian frontage so that we can have a regulation that is more exact for most properties to create a more common number across. We will then notice this for a public hearing and at that point, the Commission can discuss it again.

7. OLD BUSINESS: None

Planner Pacheco stated that the senior living facility is getting closer to completion. The question was asked when they will complete the road. Pacheco stated that have to finish it before we can give them their Certificate of Occupancy.

General discussion was held on the Village Center District development.

8. ADJOURNMENT

Motion by Leabu, supported by Priebe

To adjourn the meeting

Voice Vote: Ayes: 4

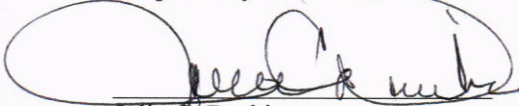
Nays: 0

Absent: 3

MOTION CARRIED


The Regular Meeting of the Planning Commission was adjourned at 7:56 p.m.

Respectfully submitted,



Julie C. Durkin
Recording Secretary

The minutes were approved as presented/Corrected: 10-21-20


Ron Muir, Vice Chairperson