

**YANKEE SPRINGS  
TOWNSHIP  
PLANNING COMMISSION  
Regular Meeting  
Thursday, 19 July 2012  
Yankee Springs Township Hall  
284 North Briggs Road,  
Middleville, Michigan 49333**

**FINAL MINUTES**

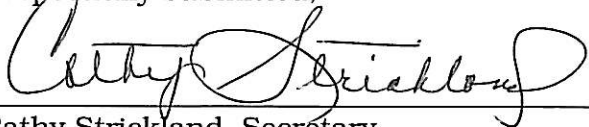
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Approved Cathy  
Stuetgen 8-16-12  
Transmitted electronically 8/23

**MINUTES**

<p>Meeting called to order at 7:00 PM by Chairman Frank Fiala.  <u>Roll Call:</u> Wells, Cunningham, Purcell, Schwennesen, Strickland, Fiala, and Beukema  <u>Staff Present:</u> Bob Lippert, Zoning Admin, Constable Jim Orr, and Patrick Sloan, of McKenna Assoc.  <u>Visitors:</u> Paul Heystek, Bill Baughman &amp; Chuck Biggs.</p>	<p><b>CALL TO ORDER PLEDGE of ALLEGIANCE ROLL CALL</b></p>
<p><b>ADDITIONS OR CORRECTIONS TO AGENDA:</b> None</p>	<p><b>APPROVAL of AGENDA</b></p>
<p><b>REPORTS:</b>          BOARD of APPEALS: Wells discussed the recent ZBA Mtg. at which a 4' setback variance was approved.          TOWNSHIP BOARD: Schwennesen discussed the recent Board Mtg. and advised they reviewed Special Assessments for road work, approved the 2012-13 budget, Memorial Garden to be put in the park by the Gun Lake Women's Club, horizontal fracking visit and issues and Craig Stolsonburg's report on the Barry County Budget for 2013.          ZONING ADMININISTRATOR: Bob Lippert discussed 4 site plan approvals and ordinance amendments.          ZBA requested the Planning Commission to review skewed setbacks. FEMA letters of map and amendment. Discussion regarding placement of buoys on lakes.</p>	<p><b>REPORTS</b>          ZBA Report- G. Wells          Board of Trustees Report- Al Schwenessen           Zoning Admin Report - B Lippert</p>
<p><b>PUBLIC COMMENT:</b> None</p>	<p><b>PUBLIC COMMENT</b></p>
<p><b>APPROVAL of MINUTES:</b>          Motion by Beukema to approve the May 17, 2012, meeting minutes as presented. Second by Wells. Approved by all. Motion carried.          Motion by Wells to approve the June 21, 2012, meeting minutes as presented. Second by Cunningham. Approved by all. Motion carried.</p>	<p><b>APPROVAL of MINUTES</b>          --May 2012          --June 2012</p>
<p><b>McKenna Billing (June 2012):</b> Motion by Wells to confirm the June 2012 billing from McKenna Associates in the amount of \$517.50. Second by Cunningham. Approved by all. Motion carried.</p>	<p><b>McKENNA BILLING</b>          - June 2012</p>

	FINAL MINUTES July 19, 2012 Page 2 of 3 APPROVED: <i>AS</i> 8/16/12
<b>NEW BUSINESS:</b>	<b>NEW BUSINESS</b>
<p><b>CAPITAL IMPROVEMENT PLAN</b> – review of proposed language. Motion by Purcell to present with proposed changes to the Twp. Board for their review. Second by Wells. Approved by all. Motion carried.</p>	Capital Improvement Plan
<p><b>ROADSIDE SETBACK AVERAGES IN RLF ZONE:</b>          ZBA has requested that the Planning Commission consider an exception for roadside setback averages for lakefront property that frequently require a variance. ZBA members report that older “cabin-type” homes and “fishing shacks” are often set back closer to the lakeside and farther from the roadside than are the new larger homes. This difference can “skew” the average setback for variance purposes when measured 300 ft in either direction as required by the ordinance.</p> <ul style="list-style-type: none"> <li>• Beukema suggested possibly putting lots that are less than 12,000 square feet in their own zoning category.</li> <li>• Biggs told about the problems with the roadside setbacks of the current lakefront lots in comparison to the location of the road. Approximately 80% of the lakefront lots were created before zoning. Some roads are “as traveled” and there is difficulty in determining the measurements as a result.</li> <li>• Heystek discussed possibly giving the Zoning Adm. the latitude to throw out skewed averages in the setback calculation.</li> <li>• Strickland discussed the current setback requirements and advised that there are for good reasons for these setback figures; they are not arbitrary and often provide safety.</li> <li>• Cunningham discussed various options.</li> <li>• Recommendation to possibly add language to include “similar” type lots and grant the ability to exclude a lot that is setback more than 25’ from the road when determining the average setback.</li> <li>• Patrick Sloan suggested writing an ordinance that is objective not subjective and tied to a specific formula.</li> <li>• B. Lippert to draft proposal for compensating for skewed averages when determining roadside setbacks.</li> </ul>	ZBA Request for exception to roadside setback averages in RLF zone
<p><b>NON-CONFORMING LOTS:</b> Discussion regarding non-conforming lots.          Lippert advised that it is not acceptable to add or increase the non-conformity of a lot.           To be discussed at a future meeting.</p>	Non-Conforming Lots

	FINAL MINUTES July 19, 2012 Page 3 of 3 APPROVED <i>AS-16-17</i>
<b>OLD BUSINESS:</b>	<b>OLD BUSINESS</b>
<p><b>PERSONAL STORAGE BUILDINGS:</b> Strickland researched and provided copies of the Barry County ordinance, Section 2357 pertaining to same. It appears that such buildings can be erected <u>without a primary residence</u> in any zone for property and/or vehicle storage provided that:</p> <ul style="list-style-type: none"> <li>• It must meet all adopted building codes;</li> <li>• It meets all dimensional standards for the applicable zoning district;</li> <li>• It is considered the principal use and no other improvements are made;</li> <li>• . The general nature of the items being stored are disclosed and are not hazardous;</li> <li>• It cannot be used as a dwelling</li> <li>• No commercial or manufacturing activities are allowed, and</li> <li>• Electricity is permitted, but not plumbing facilities.</li> </ul> <p>Cunningham presented detailed data representing all of the lots located in Yankee Springs Township and distributed a spreadsheets and diagrams of what accessory building coverage would look like on various size lots to each Planning Commission Member.</p> <p><b>Recommendation</b> to go with 30% lot coverage with a maximum limit to the size of the building and no limit on the number of buildings per lot</p>	Personal Storage Buildings
<b>PUBLIC COMMENT:</b> None	<b>PUBLIC COMMENT</b>
<b>OTHER:</b> Bob Lippert advised that an application has been received from buyers of The Sea Shanty for a rezoning request from C-2 to C-3 which will be reviewed at the next meeting. The buyers' request is to open a bakery/coffee shop with a drive-up window which would require an upgrade in the zoning district for the window.	<b>OTHER</b> Re-zone Request for August meeting – Sea Shanty
There being no further business the meeting was adjourned at 9:35 pm. Respectfully submitted,  <hr/> Cathy Strickland, Secretary (Date) 8-16-2012	<b>ADJOURNMENT</b>   Katie Hayward Recording Secretary (7-20-2012)