

SAFETY NOTICE:

Due to Covid-19 guidelines, in person seating for the meeting will be limited. All attendees are respectfully requested to wear a mask within the building and observe social distancing practices. Additionally, we request that any individual that is running a fever, coughing, sneezing (even allergies), or just not feeling well, refrain from attending in person and utilize our Zoom attendance option.

Thank you. The Whitewater Township Planning Commission

Zoom Meeting participation:

Planning Commission 9/2/2020

Time: Sep 2, 2020 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/93697369374?pwd=eVZDUzQ1NjRNNDVqTEgvTnN4b0N1dz09>

Meeting ID: 936 9736 9374

Passcode: 140569

One tap mobile

+13017158592,,93697369374#,,,,,0#,,140569# US (Germantown)

+13126266799,,93697369374#,,,,,0#,,140569# US (Chicago)

Dial by your location

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

Meeting ID: 936 9736 9374

Passcode: 140569

WHITEWATER TOWNSHIP PLANNING COMMISSION
AGENDA FOR REGULAR MEETING, *September 2, 2020*

7:00 p.m., Whitewater Township Hall

Via ZOOM and in person

5777 Vinton Road, Williamsburg, MI 49690

Phone 231-267-5141/Fax 231-267-9020

1. Call to Order/Pledge Allegiance
2. Roll Call of Commission Members
3. Set/Adjust Meeting Agenda
4. Declaration of Conflict of Interest
5. **Public Comment:** Any person shall be permitted to address a meeting of the Planning Commission. Public comments shall be carried out in accordance with the following rules and procedures:
 - a. Comments shall be directed to the Commission, with questions directed to the Chair.
 - b. Any person wishing to address the Commission shall speak from the lectern and state his/her name and address.
 - c. Persons may address the commission on matters that are relevant to township planning and zoning issues.
 - d. No person shall be allowed to speak more than once on the same matter, excluding the time needed to answer Commission members' questions.
 - e. Public comment shall be limited to 3 minutes.

6. Public Hearing: None
7. Approval of minutes of July 1, 2020
8. Correspondence: East Bay Township Notice of Intent to Amend Master Plan
9. Reports/Presentations/Announcements/Comments
 - a. Zoning Administrator, Hall
 - b. Chair, Mangus
 - c. Township Board Representative, Lawson
 - d. ZBA Representative, Hooper
10. Unfinished Business:
 - a. RC Survey – No review of text. Re-evaluate timing and direction.
 - b. AG District Review – No review of text.
 - c. Review input from Township Board and attorney on Article 28, Condominium Regulations. Included are the references in the Board minutes and the information as provided to the Township Board for their July 14, meeting. Schedule public hearing if appropriate.
 - c. Master Plan Update – Review input from commission members
11. New Business: None
12. Next Meeting October 7, 2020. Agenda
13. Public Comment
14. Commission Discussion/Comments
15. Continuing Education
16. Adjournment

Whitewater Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities who are planning to attend. Contact the township clerk at 231-267-5141 or the TDD at 800-649-3777.

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
July 1, 2020

Call to Order at 7:04 p.m.

Roll Call: Dean, Hooper, Jacobson, Mangus, Savage

Absent: Lawson, Render

Also in attendance: Recording Secretary MacLean

Meeting via Zoom 5 participants

Set / Adjust Agenda: Reverse Old Business and New Business

Declaration of Conflict of Interest: None.

(Public Comment after reports)

Public Hearing: None

Approval of Minutes:

MOTION to approve March 4, 2020, Meeting Minutes by Mike Jacobson, second by Ted Hooper. Roll call: Mangus-yes; Dean-yes; Jacobson-yes; Hooper-yes; Savage-yes; Lawson-n/a. Motion carried.
No meetings in April, May and June.

Correspondence: Items of correspondence included in the packet.

1. RC district survey suggestion by Gutknect.
2. Attorney, Kristen Houle regarding RC district.
3. Correspondence from Mangus regarding attorney summary regarding short term rentals, will discuss as part of continuing education.

Reports:

Zoning Administrator Report, Hall: Zoning has been very busy. Seems to be running normal and will likely continue into the fall.

Have received several calls regarding short term rentals (STR). We will discuss that during Continuing education. Have received no less than a dozen calls regarding STR. Our zoning ordinance is written as a permissive manner—if it is listed it is permitted other uses can be petitioned for.

Have received 12 general questions regarding the RC district. Need to be able to document discussions, surveys, etc. I am here to answer questions for the public, the PC, everyone.

Sound is working – We will do the first Public Comment after reports.

Chair's Report, Mangus: No report.

Township Board Rep., Lawson: N/A

ZBA Representative, Hooper: We had a meeting in June. Applicant wanted to build a parcel that did not have a dwelling. ZBA upheld the Zoning Administrator (ZA) decision. It was denied. Applicant may be pursuing further options. Various options were discussed between the applicant and the ZA.

Committee Reports: None.

Additional Items: None.

Public Comment: via Zoom

Vaughn Harshfield – None

Lorraine Ehle - 268 Island View Dr. RC district was brought up by the ZA

Ron Bachi – 6987 Cook Rd. Welcome back.

Janet Bachi – 6987 Cook Rd., thank you for your work. Two items: 5 acres in RC district and event barn.

Tom Packard 212 Island View Dr. Question regarding the RC survey in the packet.

John Mater – 464 Island View Dr. We are in support of the 5 acres in the RC district.

Vern Gutknect - 6801 Bunker Hill Road. Any question regarding the RC district survey presented? - None

Unfinished Business

1. Master Plan Review: Will need substantial public input to complete but we can work on many of the sections, example, the emergency services is very outdated.
Can we break down the housekeeping type items individual or in sub-committees then bring them back for final discussion?

ZA Hall: Trust and confidence and recognizing strengths are important among the PC.

Demographics are available through the township, county and state.

A few items need to be included in the Master Plan that our MP is lacking.

Open House can possibly have a facilitator so the commissioners can focus directly on the public input.

Individual members bring the changes and review with the whole PC. Prefer the Chair would receive a draft for inclusion in the meeting packet.

Introduction: (Demographics, references to law, responsibilities etc., as speaking to the community including the history.) Read through of current Introduction by Mangus. Discussion.

Part One: Dean

Part Two will require input – not be handled individually at this point.

Part Three, up to History: Hooper

Part Three, Location and History: Savage.

Part Three, Demographics, community facility and services and emergency services: Jacobson

Part Three, Water, sewer, education maybe parks and rec, up to natural features, Mangus

Word Document, changes to Mangus 10 days before inclusion in packet.

New Business:

1. Meeting procedures and preferences going forward, including bi-laws.
Would like a consensus, moving forward, how to proceed: 1. How do you feel about continuing to meet? Zoom meeting with limited public seating or meetings outdoors where there can be more people available with no Zoom availability. We can accommodate approximately 9 people from the public with the set-up of general six feet distancing we have now.

Glenn Savage: Is the school available? It is a larger facility. I prefer to have in-person meetings.

Ted Hooper – Outside is not a long term solution, it is weather reliant. If the school is available that may work.

Mike Jacobson – Comfortable with the way this is, indoor, limited seating with Zoom.

Mickey Dean – This is a workable short term solution. Include the general statement in the packet / agenda regarding people with any signs or symptoms for each meeting.

If the town hall is, in general, not open to the public the PC will cancel meeting via a lack of a quorum.

The current executive order allows for the PC to meet/attend virtually expires on July 30.

We had an open house scheduled for April. Propose tabling that until we can accommodate a larger public participation.

Motion to NOT hold an open house until we can accommodate the public by Savage, second by Hooper. Roll

call vote: Jacobson-yes; Dean-yes; Hooper-yes; Savage-yes; Mangus-yes; Lawson-n/a

Table Event Barn discussion.

Condominium ordinance discussion coming, possibly for the August meeting.

Ag District zoning ordinance review, consensus to leave under old business.

RC District survey, we need the input from the public. We were looking at doing a survey. The public will want to be here for the questions. Will need to wait until we can have full public participation. Revisit when to move forward at the September meeting. Recommend written correspondence. Consensus to determine when we will move forward on the RC district discussion at the September meeting.

Procedural guidelines of the system that has been established moving forward processing amendments. Proposed letter to the board regarding zoning ordinance amendments and additions. ZA Hall: Michigan Zoning Enabling Act and MTA recommendations. People have the right to petition the PC to make a zoning amendment. The board liaison and the ZA can keep the board updated without the PC and Board having back and forth discussion. Are you, the PC, comfortable with the letter with changes discussed? Consensus to present to the Board.

Next Regular Meeting is scheduled for August 5, 2020.

Public Comment: None in-house

Via Zoom:

Vaughn Harshfield - 4404 N Broomhead Rd., pros and cons of the RC.

Janet Bachi – None

Ron Bachi – None

Commission Discussion/Comments: None

Continuing Education: Hall – Short Term Rentals (STR) is 28 days or less: The way the ordinance is written is extremely important, including commas, periods and apostrophes, etc. Must be very precise.

Adjournment: 9:17 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary

Beth Friend, Supervisor
Susanne M. Courtade, Clerk
Tracey Bartlett, Treasurer



Mindy Walters, Trustee
Glen Lile, Trustee
Bryan Marrow, Trustee
Andrea Hentschel, Trustee

August 24, 2020

RECEIVED
8-26-20
CK

To Whom it May Concern,

Pursuant to the requirements of the Michigan Planning Enabling Act (PA 33 of 2008, as amended), this notification is to inform you of the East Bay Charter Township's intent to amend the Township's Master Plan (adopted December 15, 2015).

As required, a copy of the draft plan will be provided to you for your review and comment in advance of the Township's public hearing on amended plan. We encourage you to follow the progress of the plan update on the Township's Website: www.eastbaytwp.org.

If you would like to receive any future notices regarding the Township's Master Plan electronically, please e-mail your request along with your e-mail address to Claire Karner at ckarner@eastbaytwp.org. In the meantime, please feel free to contact the East Bay Township Planning Commission if you have any questions.

East Bay Charter Township Planning Commission
1965 N. Three Mile Road
Traverse City, MI 49696

Sincerely,

Claire Karner, AICP
Director of Planning & Zoning

Goss noted the motion is very vague and asked: What is the beginning of the amendment process? Goss suggested that one of the board members going to the township attorney is the first step in the process.

Popp replied we are going to talk to the attorney, talk to our mutual aid departments, and noted they have already talked to Elk Rapids, who does not use the International Fire Code.

Flynn said the current ordinance adopted the 2006 International Fire Code with additions and subtractions, and stated he already has a list of additions and subtractions that he would like to see, which is pretty much identical to everybody else in Grand Traverse County, and offered that he and Popp can send that information to the attorney to kick start this project.

Popp asked if we have board approval to begin this process.

Goss noted that, once again, that is vague, and stated she has a **motion to refer Ordinance No. 40 to the attorney for revision and updating.**

Popp said not all 600 pages, not going to do that.

Goss noted that Ordinance 40 refers to the code. The code is not the ordinance. Goss further suggested bringing this back at another meeting and in the meantime talk to the attorney and see what his suggestions are.

Lawson said talk to the attorney and wait until we have everybody else here on the board.

Popp stated we will bring this back in January.

Letter of Support for Milton Township Grant Request (1:27:57)

Motion by Goss to authorize the clerk to sign the proposed letter of support for Milton Township's grant request; second by Lawson. On voice vote, all those present voted in favor; none opposed; Benak and Hubbell absent. Motion carried.

Seek Attorney Review of Zoning Ordinance Article 28 Site Condominium Standards (1:29:20)

Motion by Popp to send the planning commission's recommended amendment to Whitewater Township Zoning Ordinance Article 28 to legal counsel for a redline review; second by Lawson.

Goss noted this document does not track the changes made by the planning commission to (former zoning administrator) Lindsey Wolf's original document, and cited No. 2 Condominium Conversions which shows no original language, and noted we should also send the attorney her original document.

Mangus noted there is a very small amount of red in the document. There are two added paragraphs. One is the heading for Preliminary Review, 28.16(1), which she stated is an idiosyncrasy provided to the public in Whitewater Township's zoning ordinance, and 28.11

under 2. Condominium Conversions, where Wolf said “see attorney.” There was no paragraph there, so they did not strike anything she contributed. The PC added it in and had every intention of the attorney reviewing this document. She said their hope is not to rewrite the ordinance but to tell us if there are any problems with what we have here. The reason you do not have an original copy and then altered is there is so little in our current condominium regulations, a large percentage of which is not valid, that it was not even worth having another color, and noted that Wolf prepared this one and took a few sentences from the original document. Mangus noted this is a fresh ordinance. Mangus does not think the attorney needs an extra six pages to review, noting this is the planning commission’s submission to the board and asked the board to look at it in that way. Regardless of who wrote what text, does the attorney see any major structural issue or legal issue with the text they have provided.

Popp said it is self-explanatory to him and it does not matter to him if a previous zoning administrator wrote it or not.

Mangus stated she did a great job and it was wonderful having someone else prepare a draft for a change.

Popp re-stated his motion: Motion to send the planning commission recommendation amendment to Whitewater Township Zoning Ordinance Article 28 to legal counsel for redline review; second by Lawson. Roll call vote: Hubbell, absent; Lawson, yes; Popp, yes; Benak, absent; Goss, yes. Motion carried.

Popp volunteered to get the document off to legal review in the morning.

Event Barn Survey – Next Step (1:38:35)

Motion by Goss to move this agenda item to the January 14, 2020, meeting; second by Lawson. On voice vote, all those present voted in favor; none opposed; Benak and Hubbell absent. Motion carried.

Discussion/Approval of Planning Commission Survey Questions (1:39:45)

Lawson said some of the questions in the packet may be used and some may not, and indicated the planning commission is going to do a full-blown survey and publish it themselves with money in their budget.

Popp said the township board has discharged the planning commission with collecting information from the public; that is in the planning and zoning enabling act. He asked Lawson if survey questions have to come back before the board.

Lawson said good question.

Popp: Or can the PC just query, because you are really not making statements for the township.

Lawson responded they are asking questions; they are not changing or affecting policy.

Popp said you could be.

DRAFT MINUTES

terms, and last Thursday the Board of Public Works unanimously approved it. They look to have it signed this week and he will provide a copy to the township in order to finalize the transition. One thing that is pending is when is the exact cutoff for billings and receivables, which is in the works by John Divozzo, Director of the BPW. He noted it has been two years.

There were no questions.

Amendment of COVID-19 Preparedness Plan (Designation of Work Site) (1:11:25)

Goss provided a document with her revisions and comments on the proposed plan.

Discussion followed.

Motion by Goss to appoint Ron Popp as Workplace Coordinator for the Whitewater Township Hall; second by Lawson. Roll call vote: Lawson, yes; Popp, no; Benak, no; Goss, yes; Hubbell, absent. Motion failed.

Motion by Popp to have Ardella Benak be the Workplace Coordinator for the township hall; second by Goss.

Discussion followed.

The motion was re-read.

Further brief discussion took place.

Roll call vote: Popp, no; Benak, no; Goss, yes; Hubbell, absent; Lawson, no. Motion failed.

Motion by Benak that the treasurer and the supervisor work together as the Workplace Coordinator for the township hall; second by Lawson. Roll call vote: Benak, yes; Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes. Motion carried.

Discussion turned to the revisions suggested by Goss and Popp.

Motion by Goss to approve the updated COVID-19 Preparedness and Response Plan as proposed in the 7/14/2020 board packet and as revised by the clerk; second by Lawson. Roll call vote: Goss, yes; Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes. Motion carried.

Discuss/Forward Attorney Redline of ZO Article 28 Condominium Regulations (1:25:08)
Motion by Goss to forward attorney and board recommendations on Zoning Ordinance Article 28 proposed amendments to the Whitewater Township Planning Commission for future action; second by Benak. Roll call vote: Hubbell, absent; Lawson, yes; Popp, yes; Benak, yes; Goss, yes. Motion carried.

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: Planning Commission
Date: 06.29.2020
Re: Site Condominium Standards – Attorney Review

All –

Here is the review Mr. Patterson performed on the proposed amendments to Zoning Ordinance Article 28 Site Condominium Standards. This review was requested by the Planning Commission (PC) and approved the Board.

If the Board has any questions or comments about the review or any wording in the article, please generate a list we can forward to the Planning Commission with this review. Mr. Patterson's document is followed by the PC's original submittal information.

For the Reasons above an appropriate motion may look like: Motion to forward attorney and Board recommendations on Zoning Ordinance Article 28 Proposed amendments to the Whitewater Township Planning Commission for future action.

Thank you.



Ron Popp
Supervisor, Whitewater Township

Ron Popp

From: Christopher Patterson <cpatterson@fsbrlaw.com>
Sent: Wednesday, March 11, 2020 2:48 PM
To: Ron Popp
Cc: Jacob Witte
Subject: FW: Article 28
Attachments: 28 with approved minutes..pdf

Ron:

We completed our review of the proposed Article 28. As a whole, these proposed changes represent a marked improvement on the previous Article 28, and they appear to fully address the issues posed by site condominiums under the Township's prior regulations. We identified the following areas as potentially warranting further review and revision:

- One recurring issue is the lack of a consistent term used in the new Article 28 to describe the condominium developer applying under this Article. Section 28.11.2 uses the term "applicant", Section 28.12 uses the term "petitioner", Section 28.13.3.a.3 uses the term "developer or proprietor of the condominium project", Section 28.13.7 uses the term "developer", Sections 28.16.1-2 use the term "applicant", Section 28.16.4 uses the term "Property Owner", and Section 28.17.3 uses both the terms "applicant" and "petitioner". To avoid confusion, I recommend selection of a single term, such as "developer" or "applicant" to consistently refer to this individual throughout Article 28.
- There are also a number of potentially overlapping terms used throughout Article 28 to refer to condominiums and related plans, such as "condominium development", "condominium subdivision", "condominium project", "condominium subdivision plan", "condominium development plan", "condominium subdivision project", "site condominium", "proposed project", "proposed condominium subdivision plan", "proposed site condominium subdivision plan", "proposed plan", "site condominium plan", and "the project". It is not immediately clear which of these terms are intended to be interchangeable and which are intended to have distinct meanings. For this reason, I recommend revising Article 28 to use as few terms as possible to describe condominiums, and inserting definitions for potentially confusing terms—for instance, using only the terms "condominium development" and "condominium development plans", or adding definitions to terms such as "condominium development" and "condominium subdivision", so the differences between these terms are clear.
- Section 28.11.2 uses the term "Condominium Conversions". To my knowledge, this term is not defined in the Zoning Ordinance. This term is probably not commonly understood and should thus be defined, either in Article 28 or elsewhere in the Zoning Ordinance. The Condominium Act defines this term as "a condominium project containing condominium units some or all of which were occupied before the filing of a notice of taking reservations under section 71." MCL 559.105(2). It is also not specified in Section 28.11.2 what the phrase "all appropriate documents" entails. This may require clarification. Moreover, either the "a" before "condominium conversions" should be deleted or use "condominium conversion".
- Section 28.11.3, Plat Approval, states: "There shall be no requirement for a plot approval for a condominium subdivision under the Township Subdivision Control Ordinance." I believe that this should read "no requirement for *plat* approval". Additionally, I would recommend using the term "a

condominium *development*” rather than “a condominium subdivision” to remain consistent with the language used throughout Article 28.

- Section 28.12 states the Township shall consult with the “Planning Zoning Department”. Could this be a typo? I am not aware of any such department within the Township. This section anticipates the payment of consultation fees, but those are typically in addition to a standard permit fee when required. Additionally, I recommend inserting language regarding the replenishment of consultation funds, if necessary, and the return of unused consultation costs at the end of this Section. These changes could be accomplished as follows:

- 28.12 CONSULTATION

In determining whether to approve a condominium development plan, the Township shall consult with ~~the~~ Planning ~~and~~ Zoning *Department officials and experts*, and the Township Attorney regarding the adequacy of the master deed, deed restrictions, utility systems, and streets, site layout and design, and compliance with all requirements of the Condominium Act and this Ordinance. All reasonable costs related to said consultation, as established by the Township, shall be paid by the *developer* prior ~~to~~ Township signature and issuance of approval, *in addition to the standard nonrefundable application fee. At any point during the review process, the Township may require that the developer place additional funds with the Township if the existing amount deposited by the developer is deemed insufficient by the Township. If consultation funds need replenishing and the developer refuses to do so promptly, review of the condominium development plan shall cease unless and until the developer makes the required additional deposit. Any unused portions of the consultation funds paid by the developer remaining after the Township completes all necessary consultations shall be returned to developer.*

- I recommend rewording Section 28.15.2.d as follows: “~~That there is~~ *There shall be* proper relationship...” and Section 218.15.2.1 as follows: “A plan for erosion control and storm water discharge ~~has been~~ *must be* approved by the appropriate public agency” to be consistent with the language used for other subsections in 28.15.2.
- Section 28.16.2 lists the “Michigan Department of Environmental Quality” and the “Fire Department” as “Grand Traverse County Agencies”. I recommend clarifying this Section as follows:
 - The applicant shall provide copies of the proposed condominium subdivision plan to the following Grand Traverse County Agencies: Health Department (or Department of Public Works if proposed on municipal water and/or sanitary sewer), Drain Commission, Soil Erosion, ~~and~~ Road Commission (or Michigan Department of Transportation if proposed on a state highway), *as well as the* Michigan Department of ~~Environmental Quality~~ *Environment, Great Lakes, and Energy* (when sensitive areas and/or wetlands are a concern), and ~~the~~ Fire Department *having jurisdiction over the proposed condominium development*. Four (4) hard copies and a digital print shall also be provided to the Whitewater Township Planning and Zoning Department. The Zoning Administrator shall distribute the proposed condominium subdivision plans to the Planning Commission and Board of Trustees for review.
- Section 28.16.6 imposes a 45-day deadline for the Township Board to approve or deny a condominium subdivision plan. In case of delays in reviewing the plan (due to tabling the matter, requiring additional input from the developer, or other reasons) I recommend revising to provide for optional extensions:
 - The Township Board shall (1) approve the condominium subdivision plan, with or without conditions; (2) reject the plan and give its reasons; (3) table the proceedings pending further

review or pending changes to the plan to make it acceptable to the Board; or (4) refer that application back to the Planning Commission for further review and report. The Board shall render a written decision within 45 days of receipt of the Planning Commission's recommendation, *unless the developer and the Board agree to a later deadline.*

- Section 28.17.2 provides that a Master Deed must be recorded within two years. The language regarding extensions is somewhat ambiguous. I recommend revising as follows:
 - The Zoning Administrator may extend the two-year period by one additional year if applied for *by the developer, and shall be* subject to the *developer satisfying the* requirements of **Section 25.15 Failure to Initiate Construction.**
- Section 28.19 states: "Site condominium guidelines may be amended as follows". I believe this Section is intended to refer to amendments to "site condominium *plans*" not "site condominium guidelines". I also recommend that the subsections be renumbered to "1." and "2." consistent with the numbering format of the rest of the Article, along with the following minor changes for additional clarity:
 - **1. Minor Amendments.**
Minor amendments are those ~~which will have determined by the zoning administrator to~~ no foreseeable effect beyond the project boundary such as minor changes in the location of buildings, the alignment of utilities, and the alignment of interior roadways. Minor amendments for good cause may be authorized by the Zoning Administrator provided that no such changes shall increase the size or height of structures, reduce the efficiency of public facilities serving the site condominium, reduce usable open space, or encroach on natural features proposed by the plan to be protected.
 - **2. Major Amendments.**
Any amendment not qualifying as a minor amendment as determined by the zoning administrator shall be considered a major amendment and must be approved by the Planning Commission according to the procedures authorized by this ~~section~~ *Article* for approval of a site condominium.
- Finally, Section 28.20 authorizes fees for "the review of site plans". I would revise this Section to clarify that this is a standard, nonrefundable flat fee intended to cover costs of review independent of whatever consultation fees are required. I also recommend moving this language to the beginning of Section 28.13 and noting that no review will take place until the fee is paid. These changes could be accomplished by inserting the following language in Section 28.13 (perhaps as a subsection 2), with the remaining:
 - **Fee Required**
Before the Township reviews a condominium development plan, the developer shall submit to the Township a nonrefundable application fee as established by resolution of the Board to cover the Township's cost of review. Such application fee shall be independent of any required consultation costs as described in Section 28.12.

Sincerely,

Chris

Christopher S. Patterson

Member • Fahay Schults Burzych Rhodes



Direct: 517.381.3205 • Cell: 269.744.4807
Office: 517.381.0100 • Fax: 517.381.3185
fsbirlaw.com • cpatterson@fsbirlaw.com

4151 Okemos Road, Okemos, MI 48864 USA
U.S. News & World Report Ranked Best Law Firm

From: Ron Popp <supervisor@whitewatertownship.org>
Sent: Thursday, February 13, 2020 12:21 PM
To: Christopher Patterson <cpatterson@fsbirlaw.com>
Cc: supervisor@whitewatertownship.org
Subject: Article 28

Hi Chris,

Attached is the Planning Commission's recommendation for necessary updates to Article 28 of our Zoning Ordinance. The Board reviewed the submittal at our 12-10-2019 meeting and agreed it should be sent to you for analysis returning a redline document. Originally, I was going to make this request the day following the meeting however, I decided to wait for approved minutes.

The Township will adopt a new budget sometime in March and with elections all offices are busy. With that thought in mind, could we have a redlined version by April 1, 2020?

The Township is experiencing internet issues today, if you could acknowledge receipt of this communication it would be appreciated.

Many thanks,

Ron Popp
Whitewater Township Supervisor
5777 Vinton Road, P.O. Box 159
Williamsburg, Michigan 49690
231.267.5141 X 23
supervisor@whitewatertownship.org

Memo

To: Whitewater Township Board
From: Ron Popp, Supervisor
CC: None
Date: 11-27-2019
Re: PC Request for Amendment to WWT ZO Article 28 – Site Condominium Standards-

All –

The Planning Commission (PC) is making recommendations to the Township Board addressing needed changes to Article XXVIII (28) Site Condominium Standards of the Whitewater Township Zoning Ordinance.

Original and proposed changes to the Article written by then Zoning Administrator Lindsey Wolf appear in black lettering and additional modifications by the PC appear in red. This two color document review process varies from our standard three color, Black original wording, Blue proposed changes by one entity, Red proposed changes by a second reviewing entity, and does not clearly define the wording contained in the existing Article. In light of this, I have supplied a Section of the 2014 Clerk Certified Version of the Zoning Ordinance the Township was distributing back in the day for your comparison.

Any legal review that may have been previously commissioned is likely out of date and in need of the same using current day knowledge.

For the Reasons above an appropriate motion may look like: Motion to send the Planning Commission's Recommended Amendment to Whitewater Township Zoning Ordinance Article 28 to Legal Counsel for a redline review.

Thank you.



Ron Popp

Supervisor, Whitewater Township

Ron Popp

From: S and K <skmangus@ymail.com>
Sent: Thursday, November 7, 2019 9:26 AM
To: Ron Popp; Cheryl A. Goss; Lloyd Lawson; Zoning Administrator; Della Benak; Paul Hubbell
Subject: Fw: Article 28, Condominium Subdivision
Attachments: Site Condominium 8-7-19 Standards for Approval PC 1.docx; PC Article 28 Rationale.docx

Supervisor Ron Popp and the Township Board,

The planning commission has completed our review of the proposed amendment to Article 28, Condominium Subdivision prepared by Lindsey Wolf at the recommendation of our township attorney. Attached you will find a copy of Lindsey's letter, the proposed ordinance as well as a list of supporting goals found in the Whitewater Township Master Plan.

Respectfully Submitted,
Kim Mangus
PC Chair

Planning & Zoning Department
Whitewater Township
P.O. Box 159 5777 Vinton Road
Williamsburg, MI 49690



Date: May 15, 2019
To: Whitewater Township Board of Trustees & Planning Commission
From: Lindsey Wolf, Zoning Administrator
Subject: Site Condominium Review and Approval Going Forward

Dear Members of the Planning Commission:

After a lengthy review of Whitewater Pines Site Condominium it seems appropriate to discuss the inclusion of an approval process for site condominium subdivisions within the Whitewater Township Zoning Ordinance. Up to this point there have been numerous hours spent and attorney consultation in regards to the approval process. I strongly feel that this process can be streamlined for the applicant and the department in the future. One of the goals stated in the 2015 Master Plan is to streamline the application process for development (p.4).

Issue: Article XXVIII Condominium Regulation

There is conflicting information regarding the review process in the current Zoning Ordinance. Article XXVIII Section 28.11 in the Ordinance states that condominium subdivisions are subject the review procedure and standards imposed by the Township Subdivision Control Ordinance. Section 28.14 also makes reference to the Township Subdivision Ordinance.

Article III definition of a site condominium subdivision: A division of land on the basis of condominium ownership, which is **NOT** subject to the provisions of the Subdivision Control Act, Public Act 288 of 1967, as amended, but **IS** subject to the requirements of the Condominium Act, Public Act 59 of 1978, as amended.

Attorney review determined that the Subdivision Control Ordinance does not apply to site condominiums, but is subject to site plan review. Language included in Article XXV Site Plan Review and Special Land Uses Section 25.10 A(5) requires a site condominium, condominium subdivisions and PUD's be subject to site plan review.

I have researched the approval process in other townships within Grand Traverse County including: Acme, Blair, Paradise, Garfield, Fife Lake, Long Lake, and Green Lake. These entities have addressed site condominiums by amending their zoning ordinances to include a process for reviewing and approving these projects. I have included proposed language for an Amendment to Article XXVIII (revised in its entirety) for your consideration,

Respectfully,

Lindsey Wolf, Zoning Administrator

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Color Code:

Black – Original Text and Text proposed by Lindsey Wolf

Red – Notes/adjustment by PC

ARTICLE XXVIII CONDOMINIUM SUBDIVISIONS

28.10 INTENT

The intent of this Article is to provide procedures and standards for the review and approval or denial of condominium developments implemented under the provisions of the Condominium Act (Act 59 of 1978, as amended) and to insure that such developments are consistent and compatible with conventional platted subdivisions as provided for through the Land Division Act (P.A 288 of 1967, as amended), and promote the orderly development of adjacent areas. These regulations are enacted by authority of the Condominium Act, the Michigan Zoning Enabling Act, and this Ordinance, as amended, whereby all developments utilizing any form of condominium subdivision of land shall be approved or disapproved by the Township.

28.11 APPLICABILITY

1. General Provisions

Prior to recording of the master deed, required by Section 72 of the Condominium Act, the condominium development shall undergo a site plan review and approval by the Township in accordance with the provisions of this section. Approval under this section shall be required as a condition to the right to construct, expand or amend a condominium project in the Township.

2. Condominium Conversions – All individuals proposing a Condominium Conversions shall present the township with two copies of all appropriate documents for review. Said review shall be conducted by the township Zoning Administrator and township attorney for compliance with the Condominium Act (Act 59 of 1978, as amended). Applicant shall be provided with a written response of approval or specific reason for failure to approve within 60 days of submission.

3. Plat Approval

There shall be no requirement for a plot approval for a condominium subdivision under the Township Subdivision Control Ordinance.

4. Planned Developments

The procedural provisions of this section shall not apply to condominium developments which are reviewed and approved through the Special Use Permit – Planned Unit Development procedure, **Article 31 of this Ordinance**.

28.12 CONSULTATION

In determining whether to approve a condominium development plan, the Township shall consult with the Planning Zoning Department, and the Township Attorney regarding the adequacy of the master deed, deed restrictions, utility systems, and streets, site layout and design, and compliance with all requirements of the Condominium Act and this Ordinance. All reasonable costs related to said consultation, as established by the Township, shall be paid by the petitioner prior Township signature and issuance of approval.

28.13 GENERAL REQUIREMENTS

1. Compliance with Federal, State and Local Laws

All condominium projects shall comply with all applicable Federal, State and local laws and ordinances. No condominium documents shall conflict with the standards of this Ordinance.

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2. Required Content

Size and Scale

The condominium subdivision plan may be on paper and shall not be less than 24 inches by 36 inches, at a scale of at least 1 inch to 200 feet showing the date and north arrow.

3. Information Required

All condominium development plans shall include the information required by **Section 66 of the Condominium Act** and the material required in **Section 25.11 (F)**. A person, firm, or corporation intending to develop a condominium project shall provide the following information:

- a. The name of the proposed condominium subdivision.
- b. The name, address, telephone number of:
 1. All persons, firms, or corporations with an ownership interest in the land on which the condominium project will be located and a description of the nature of each entity's interest (for example, fee owner, optionee, or land contract vendee)
 2. All engineers, attorneys, architects, landscape architects, or registered land surveyors associated with the project.
 3. The developer or proprietor of the condominium project.
- c. The legal description of the land on which the condominium development will be developed together with any expansion plans and appropriate tax identification numbers.
- d. The acreage of the land on which the condominium development will be developed.
- e. The land use and existing zoning of the proposed condominium subdivision.
- f. The names of property owners, zoning classification, and existing structures on the subject parcel and adjoining parcels within 300 feet of the site.
- g. Location, type, dimensions and proposed use of all existing structures.
- h. A location map showing the relationship of the proposed plan to the surrounding area.
- i. Statement of intended use(s). Such as, residential single-family, residential multi-family, commercial, industrial, etc. and the number of acres of each type of land use proposed.
- j. Condominium lot lines and the total number of condominiums units to be developed on the subject parcel.
- k. Description of water system to be provided.
- l. Description of sanitary waste disposal system to be provided.
- m. Right-of-way easements, showing location, width, and purpose.
- n. Existing topographic elevations at two (2) foot intervals, proposed grades and direction of drainage flows.
- o. Location and types of all significant existing vegetation, water courses and bodies, flood plains and water retention areas, wetlands, and soil types.
- p. Any additional information required **during site plan review**.

4. Utility Easements

The condominium development plan shall include all necessary easements for the purpose of constructing, operating, inspecting, maintaining, repairing, altering, replacing, and/or removing pipelines, mains, conduits, and other installations of a similar character providing public utilities.

5. Private Roads

All private roads in a condominium subdivision shall comply with the specifications of the **Whitewater Township Private Road Ordinance No. 32**, as amended.

6. Encroachment Prohibited

Encroachment of one condominium unit upon another, as described in Section 40 of the Condominium Act, shall be prohibited by the condominium bylaws and recorded as part of the master deed.

7. Performance Guarantees

As a condition of approval of the condominium plan by the Township, a performance guarantee may be required to ensure construction of required improvements and the completion of filing requirements before land use permits are issued. Upon fulfillment of all requirements and filings, the developer shall apply to the Township for release of performance guarantees. Performance guarantees shall comply with the requirements in **Section 25.16** of this Ordinance.

28.14 MOBILE HOME CONDOMINIUMS

Mobile home condominium developments shall conform to the requirements of this Ordinance, in accordance with the Condominium Act and other applicable Local, State laws, ordinances and regulations. Such developments shall be located only in a zoning district that provides for mobile homes. The review and approval shall be processed in accordance with Section 28.15 Review Procedures.

28.15 STANDARDS AND DESIGN FOR CONDOMINIUM SUBDIVISION PROJECTS

1. Condominium Lots

The Condominium Subdivision Plan shall indicate specific parcel dimensions with front, rear, and side condominium lot lines allocated to each condominium dwelling unit. For the purpose of this section and to assure compliance with the provisions herein, these parcels shall be referred to as "site condominium lots".

2. Condominium Subdivision Layout and Design

The description, size, location and arrangement of the site condominium lots shall conform to the requirements of this Ordinance. The design of a condominium projects shall be subject to the following requirements. Should there be unusual topographic or other natural feature constraints, these standards may be modified to achieve greater or lesser conformance in accordance with the judgement of the Township **Zoning Administrator, Planning Commission, and Township Board**.

- a. Each condominium lot in a site shall be considered a single lot and shall comply with the zoning district in which it is located. The area and bulk requirements of a dwelling unit or structures are subject to the zoning district in which it is located.
- b. Each condominium dwelling unit shall be located within a condominium lot. In a condominium development containing single-family detached dwellings units, not more than one (1) dwelling unit shall be located on a condominium lot.
- c. The condominium lots size and required setbacks shall be measured from the designated front, rear and side condominium lot lines.
- d. That there is proper relationship between existing streets and highways within the vicinity, and proposed deceleration lanes, service drives, entrance and exist driveways, and parking areas to assure the safety and convenience of pedestrian and vehicular traffic, and that the proposed streets and access plan conform to any street or access plan adopted by the Township or the County Road Commission.
- e. Existing natural features which add value to a residential development and enhance the attractiveness of the community (such as water courses, spots of historic significance, and similar irreplaceable assets) shall be retained, insofar as possible, in the design of the subdivision. Particularly where they furnish a barrier or buffer between the project and adjoining properties used for dissimilar purposes, and help control erosion or discharge of storm waters.

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- f. Lands subject to flooding or otherwise deemed by the Township to be uninhabitable shall not be used for uses that may increase the danger to health, life, or property or increase the flood hazard. Such land within a site condominium may be set aside for other uses, such as parks or other open space.
- g. Easements shall provide for utilities when necessary.
- h. All site condominium lots shall be provided access by either public or private roadways.
- i. All site condominium units shall be accessible to emergency vehicles.
- j. Common open space provided shall remain open for recreational and conservational purposes and recorded as part of the master deed.
- k. Condominium units having water frontage shall meet the requirements of Article 14 Easement to Waterfront Section 14.10.
- l. A plan for erosion control and storm water discharge has been approved by the appropriate public agency.
- m. All site condominiums projects shall obtain approval from all applicable governing agencies.

28.16 REVIEW PROCEDURES

1. Preliminary Review

Any applicant can request a preliminary review of a proposed project with the Zoning Administrator and one to three planning commissioners. This review allows an open dialogue and an opportunity to discuss a proposed project, goals, features, location, and scope of operations prior to a formal application. Preliminary Review is available as a sounding board only, no decisions or approvals shall be rendered, either stated or implied.

2. Agency Submittal

The applicant shall provide copies of the proposed condominium subdivision plan to the following Grand Traverse County Agencies: Health Department (or Department of Public Works if proposed on municipal water and/or sanitary sewer), Drain Commission, Soil Erosion, Road Commission (or Michigan Department of Transportation if proposed on a state highway), Michigan Department of Environmental Quality (when sensitive areas and wetlands are a concern), and Fire Department. **Four (4) hard copies and a digital print** shall also be provided to the Whitewater Township Planning and Zoning Department. The Zoning Administrator shall distribute the proposed condominium subdivision plans to the Planning Commission and Board of Trustees for review.

3. Public Hearing

The Planning Commission shall hold a public hearing on the proposed site condominium subdivision plan, for the purpose of reviewing and making a recommendation of approval, approval with conditions, or denial to the Township Board.

4. Planning Commission Determination

After preceding with **Article 25 the Site Plan Review** process, if the Planning Commission determines that the proposed plan meets all the requirements of this Ordinance and the Condominium Act, the Planning Commission shall recommend approval or approval with conditions of the site condominium subdivision plan and shall send **written** notice of action taken with comments to the Township Board and Property Owner.

If the Planning Commission determines that the site condominium subdivision plan does not meet all requirements, the Planning Commission shall state its reason in its official minutes **and shall provide written notice of said decision to the Township Board and Property Owner. The Planning Commission**

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shall recommend to the board, disapproval of the plan until the objections causing disapproval have been changed to meet the requirements of this Ordinance and the Condominium Act.

5. Township Board Procedure

The Township Board shall not review, approve or reject a condominium subdivision until it has received from the Planning Commission its report and recommendations.

The Township Board shall consider the condominium subdivision plan at its next meeting after receipt of the report and recommendations from the Planning Commission.

6. Township Board Determination

The Township Board shall approve the condominium subdivision plan, with or without conditions, reject the plan and give its reasons, table the proceedings pending further review or pending changes to the plan to make it acceptable to the Board, or refer that application back to the Planning Commission for further review and report. The Board shall render a written decision within 45 days of receipt of the Planning Commission's recommendation.

28.17 CONDITIONS AND DURATION OF APPROVAL

1. Conditions

The approval of the Board of Trustees will indicate that the proposed condominium subdivision plan meets the ordinances and regulations of Whitewater Township, but does not cover additional permits that may be required after the Master Deed has been recorded. The Township may impose reasonable conditions on the approval of any condominium subdivision plan consistent with the Condominium Act, this Ordinance, and the protection of public health, safety and welfare.

2. Duration

Approval of the site condominium plan by the Township shall be for a period of two (2) years from the date of approval. If no Master Deed is recorded with the Grand Traverse County Register of Deeds Office within two years of approval, such approval shall be considered null and void. The Zoning Administrator may extend the two year period by one additional year if applied for and shall be subject to the requirements of Section 25.15 Failure to Initiate Construction.

3. Condominium Subdivision Plan Approval Contract

If the Township Board approves the site condominium subdivision plan, it shall prepare a written order setting forth the conditions upon which the approval is based. Such order shall be entered into between the Township and the applicant prior to the issuance of a Land Use Permit for any construction in accordance with the approved site condominium subdivision plan. All reasonable costs related to the preparation of said order, as established by the Township, shall be paid by the petitioner to the Township Treasurer prior to Township signature and issuance of such order.

28.18 FINAL FILING REQUIREMENTS

Prior to the recording of the Master Deed the Township Treasurer shall certify that all taxes and special assessments are paid in full. A copy of the Master Deed, Bylaws/ Restrictive Covenants must be recorded with the County Register of Deeds. The Township shall be provided with two (2) copies of each document including as-built prints, and all pertinent attachments which shall remain on file with the Township.

28.19 CONDOMINIUM AMENDMENTS

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Site condominium guidelines may be amended as follows:

a. Minor Amendments

Minor amendments are those which will have no foreseeable effect beyond the project boundary such as minor changes in the location of buildings, the alignment of utilities, and the alignment of interior roadways. Minor amendments for good cause may be authorized by the Zoning Administrator provided that no such changes shall increase the size or height of structures, reduce the efficiency of public facilities serving the site condominium, reduce usable open space, or encroach on natural features proposed by the plan to be protected.

b. Major Amendments.

Any amendment not qualifying as a minor amendment as determined by the zoning administrator shall be considered a major amendment and must be approved by the Planning Commission according to the procedures authorized by this section for approval of a site condominium.

28.20 REQUIRED FEES

Fees for the review of site plans shall be established by resolution of the Township Board.

Note: Neither the ordinance nor the fee schedule indicates what is or is not covered by the initial deposit required by the township for a condo development land use permit. The PC would like clarification from the board on this matter. Is this simply a fee or does it cover the basic review of documents by the za and attorney barring complications?

Proposed Action:

Amend Article XXVIII to include Condominium Subdivision Approval (Section 28.11 & 28.14 specifically in conflict)

ARTICLE XXVIII

CONDOMINIUM REGULATIONS

Sec. 28.10 Declaration of Policy

The Whitewater Township Board of Trustees finds and declares that condominium developers and owners are properly entitled to the same benefits and protections and are likewise obligated to conform to the same restrictions and standards applicable to all other types of development and ownership under the Township Ordinances.

Sec. 28.11 Condominium Subdivisions:

All condominium subdivisions, projects or developments shall be subject to the review procedure and standards imposed by the Township Subdivision Ordinance, the Township Zoning Ordinance, and Grand Traverse County provided that in the case of Site Condominiums each condominium unit shall be treated as a lot by these ordinances with respect to all building line setbacks, minimum dimensions, density limits and other requirements of the zone in which the project is to be located.

Sec. 28.12 Subdivision of Units:

Condominium units may not be subdivided in such a way that density standards, building line setbacks or other requirements of the zone in which the project or unit is located are not met.

Sec. 28.13 Condominium Subdivision Plan:

The condominium subdivision plan shall include all the information required by Sec. 66 of the Condominium Act (Act 59, 1978) including a Site Plan which conforms with the requirements of Sec. 15.625 of the Whitewater Township Zoning Ordinance (Site Plan Review).

Sec. 28.14 Rights-of-way, Roads, Driveways and Parking:

All rights-of-way, roads, driveways, parking areas, and signage for vehicular control within a condominium project shall conform with the standards established by the Grand Traverse County Road Commission, the Township Subdivision Ordinance, the Township Zoning Ordinance, and shall meet the requirements of the Fire Chief for access by emergency equipment.

Sec. 28.15 Mobile Home Condominiums:

Mobile home condominium projects must conform to the requirements for mobile home parks established under the Mobile Home Commission Act (Act 96 of 1987).

Sec. 28.16 Master Deed:

The master deed shall be reviewed by the township attorney and shall fulfill requirements for satisfactory construction and or maintenance of improvements in all common areas as well as all construction in areas to be dedicated to the public.

Sec. 28.17 Performance Assurance:

All condominium developments shall be subject to the same guarantees of completion of improvements required by the Township of all types of developments (see Section 5.6 of the Township Subdivision Ordinance and Section 25.14, 7. of the Township Site Plan Review Ordinance).

Figure 14. Existing Land Use in Whitewater Township

Water

The Grand Traverse Band of Ottawa and Chippewa Indians provide municipal water along the west end of Old M-72 and out to Mill Creek School.

Sewer

There are currently no public wastewater treatment facilities serving Whitewater Township. In the event municipal sewer can be made available to Township Residents, the Village District and Mill Creek Area is are our highest priority.

Utilities

~~Electricity, traditional and cellular telephone, internet services are available within the township.~~

Electrical Service is available throughout the township. It is provided by a combination of three providers, Cherryland Electric Cooperative, DTE Energy, and Consumer's Energy.

Natural gas is available to a small portion of the township through DTE Energy. Expansion of existing service can be considered upon request of the public. The majority of the township utilizes propane as a primary heating source with a small segment dependent on fuel oil and wood.

Cellular Phone and Internet services are available throughout the township with a few small pockets of questionable reception.

Community growth, changes in technology, and obsolescence affect all utilities. Great care should be exercised to protect the township's rural character when designing and implementing these changes.

Education

Two school districts and one public charter school serve the residents of Whitewater Township. Elk Rapids (which serves the majority of residents), Woodland School, and Traverse City Area Public Schools.

Elk Rapids Schools - Elementary students (K-5) attend either Mill Creek Elementary, which is centrally located within the Township, or Lakeland Elementary in the Village of Elk Rapids. Middle and High School student attend Cherryland Middle School (6-8), Elk Rapids High School (9-12), or Sunrise Academy in Elk Rapids.

The southwest corner of the Township contains Woodland School, a public charter school uniquely situated on over 250 acres of wilderness, serving grades K-8th.

Figure 15. Main Street in Old Williamsburg, a view to the east down Church Street. Circa 1912

Figure 16. The Fish Pond, Williamsburg, Michigan

Parks and Recreation

The Township enjoys two public park systems offering recreational facilities. The Whitewater Township park system includes Petobego Natural Area, Battle Creek Natural Area, Hi Pray Park, Lossie Road Nature Trail and Whitewater Township Park. The State of Michigan maintains the Sand Lakes Quiet Area **in addition to public access to thousands of acres of forest, numerous lakes and recreational trails** including the VASA trail system.

Cemeteries

Whitewater Township owns and maintains Circle Hill Cemetery **on Vinton Rd.** and Williamsburg Cedar Rapids Cemetery **on Old M72.**

Transportation/Traffic

Both private and public roads exist within the Township **ranging from paved State highways to seasonal two tracks.** Private landowners are responsible for maintenance of over 25 miles of private roads in the community.

The Michigan Department of Transportation and the Grand Traverse County Road Commission share the responsibility for operating and maintaining all public roads in Whitewater Township. The Township may request additional road maintenance at Township expense. **The township has one traffic light at the corner of M72 and Elk Lake Rd./Williamsburg Rd.**

PART 3

Figure 4. Williamsburg Depot with Western Union Telegraph and American Express Agency. Beehive Hotel is on the extreme left. Circa 1895

Figure 5. Rob Clow's store in Williamsburg.

Figure 6. Power, Whitmore and Power Bank, Hobb's Store and White's Store in Upper Williamsburg. Water tower on Gardner-Wilkinson house (far right) supplied water to four daily trains. Circa 1923

Information and Background Studies Summary

This portion of the Master Plan inventories Whitewater Township's geography, history, past trends, current conditions and future projections, thereby illustrating the point from which planning begins. The following summarizes significant findings. A bibliography of Background Studies is included in the Appendix.

Boards, Commissions, and Administration

The Township has a number of official bodies associated with the planning and development of the Township. A description of each body and its function in relation to planning follows:

Township Board

The Township Board is the chief governing body of the Township and consists of the Supervisor, Clerk, Treasurer, and two Trustees. All Board members are elected for concurrent four-year terms.

State statute, Public Act 33 of 2008, as amended, requires that the Board hears and decides rezoning requests, zoning maps, text amendments, and sub-division plats.

Planning Commission

In accordance with planning and zoning enabling statutes, the Township has established a seven member Planning Commission. The Planning Commission's main responsibility is to develop the Master Plan and to draft zoning ordinance for adoption by the Township Board. The Township Board grants additional authority to the Planning Commission to approve special land uses, most site plans and general development based on the current Zoning Ordinance while protecting public health, safety, and welfare. The Master Plan ~~may be~~ **should be** reconsidered when making such decisions.

Zoning Board of Appeals

The Zoning Board of Appeals (ZBA) is the quasi-judicial branch of zoning administration. The ZBA **provides the official interpretation of the Zoning Ordinance and** hears and decides on appeals involving zoning variances or conditional uses.

Figure 7. Williamsburg United Methodist Church 1881, Corner of Church Street and Williamsburg Road

The ZBA consists of five members appointed to three-year staggered terms.

Zoning Administrator

The Zoning Administrator provides information on zoning regulations, processes and reviews site plans, rezoning requests and special land uses, performs zoning inspections, issues land use permits, addresses code enforcement; and provides support to the Planning Commission and Zoning Board of Appeals as requested by the Township Board.