

WHITEWATER TOWNSHIP PLANNING COMMISSION
MINUTES FOR REGULAR MEETING
April 7, 2017

Call to Order at 7:00 p.m.

Roll Call: Dean, Hooper, Lawson, Link, Mangus

With two vacancies on the commission

Also in attendance: Recording Secretary MacLean, Zoning Administrator Chris Weinzapfel

Set / Adjust Agenda: Add Scott Carter Private Road Ordinance before Unfinished Business.

Declaration of Conflict of Interest: As previously noted, Kim states that she has property on a private road that ~~is already built on~~ already has permits. Does not think she has a conflict.

Public Comment: None.

Public Hearing: None.

Approval of Minutes:

Motion to approve March 1, 2017, Regular Meeting Minutes by Hooper, second by Dean. All in favor. Motion carried.

Correspondence: Master Plan review from Kalkaska County as received by Clerk Goss for PC review.

Reports:

Zoning Administrator Report, Weinzapfel: No report.

Chair's Report, Mangus: Newsletter information on what we are working on. Amendment schedule.

Township Board Rep., Lawson: Board Chair mentioned that we may need to look at the connections regarding CoPUD.

ZBA Representative, Hooper: No meetings. Kim Halstead of the ZBA sees accessory structures as the largest issue.

Committee Reports: None.

Additional Items: None.

Scott Carter, Private Road request for exception.

Chris Weinzapfel (ZA): Scott Carter presents a question regarding the private road general ordinance (PRO). The ordinance was not in affect as of the time the splits were done on Heiges Trail. Mr. Carter has not got any answers since his initial letter of May 2012, (presented to commission). At this point Mr. Carter is trying to pursue construction of his home at the end of the two track easement to his property. It is a legal lot of record, approved in 1998. Looking at the supplied drawing, C & D were combined. General Ordinance states that the exception must be reviewed by the PC and then the Board can approve (or disapprove) an exception. Mr. Carter would like to present it to the Board at the April 25 meeting.

Scott Carter, 9200 Pine Hill Ct. Saline, MI 48176. Purchased property in 2010. The building project has been delayed and bounced around on the Carters' end and the township's. ZA cannot approve until it has gone through the Board. There are two homes that are on the Heiges Trail. As required in the PRO, a maintenance agreement was presented to the neighbors but have gotten no response. Plans are to build a vacation home rather than a retirement home, 1080 sq. ft. home. It will be located at the line of C/D on the map presented. Have a total of 22 acres including an additional 10 acres purchased separately. To bring the easement / private road up to PRO standards a previous estimate came in at \$82,000 not including engineering or permits to build the private road and would not be cost shared by the neighbors. No bank loan available. Some upgrades have been done, which cost \$4500 (already paid) and it does have GT Road Commission approval. Would like to build the road to many of the specs as required but 10 ft. wide and without all the engineering. This would be all at Carter's expense since there is no road agreement and a road agreement cannot be forced. Looking for an exception to General Ordinance #32, Private Road Ordinance for 1700 ft. of private road.

Dean notes that we recommended to the Board to delete it from the General Ordinance.

The PC recommendation from the PC stands.

Frost ~~last~~ laws are off, Carter is ready to get started building.

PC can send the exception it to the Board indicating "due to extenuating circumstances".

Carter wants the 10 ft. road so emergency vehicles can get through. His understanding at the time of purchase was that it was subject to private road "easements" and that there was an easement already. Splits were made prior to the ordinance. He purchased it after the PRO was put into place.

Mangus notes that there have been homes built under similar circumstances. There is a precedent that this has been happening previously.

Motion: A recommendation to the Board that they grant an exception from engineering requirements and the maintenance agreement, referring to the PC's recommendation of removal of removal of General Ordinance #32, Private Roads by Dean, second by Lawson.

Discussion.

Amended motion: A recommendation to the Board that they grant a blanket exception to General Ordinance #32, Private Roads, for the construction of a home on Heiges Trail parcel C/D by Dean. Lawson is okay with the change.

Roll call vote: Dean – yes; Link – no; Hooper – yes; Lawson – yes; Mangus – yes.

**Lawson wants it noted that ALL zoning issues need to be addressed to the Zoning Administrator NOT the Supervisor.

Unfinished Business:

1. Final review of Schedule or Regulation – Setbacks. At the request of the clerk, inserted 8.11 with the same verbiage as stated in 12.10. *Consensus to move to the public hearing stage.*
2. Final review of Article 15, Sanitation. *Consensus to move to the public hearing stage.*
3. 2nd review of Article 36, Mobile Home Setbacks. GT Construction Code Division handles movement of mobile homes, engineering standards, land use permit, etc.
Do we want to expand on the county's requirements? Tie-downs vs. permanent foundation.
Where do we allow mobile homes? Which districts? RC and Ag. *Consensus on the district.*
Consensus to move to the public hearing stage.
4. Continue review of Article 3, definitions including additions. *Consensus on multiple definitions through Master Deed. Rules of Interpretation to go in Article 2, Interpretation.*

New Business:

1. Remove Article 26, Sound. Keep the General Ordinance. *Consensus to move to the public hearing stage.*
2. Article 1, Preamble, Authority in Zoning - review
3. Article 2, Interpretations – Rules of Interpretation.
4. Set Public Hearing topics, April 16 notice for a May 3 Public Hearing.
5. Discuss timetable and public outreach regarding review of districts - postponed
6. Proposed format for all districts - postponed
7. First review of Article 8, Commercial - postponed
8. First review of Article 8, Village - postponed

Special meeting for April 26, 2017

Next Regular Meeting May 3, 2017

Public Comment: 7303 Skegemog Pt. Rd., Mike Jacobson. Calendar is wrong on the outside wall. Found the discussion of mobile homes was not good. Not everyone is fortunate and some people like the trailer houses. It doesn't hurt anyone. No complaints about large houses that increase taxes for all. Penalize the unfortunate. We all deserve a place to put a roof over our head. Letting the PC know he turned in a notice to join the PC.

Commission Discussion/Comments: Special Meeting April 26 at 7 p.m.

Continuing Education: Independent review of Event Barns opinion from township legal counsel, Fahey, and review of Authority in Zoning supplied by Lloyd Lawson.

Adjournment: 8:59 p.m.

Respectfully Submitted
Lois MacLean,
Recording Secretary