

HARTLAND TOWNSHIP PLANNING COMMISSION REGULAR MEETING **APPROVED** MINUTES
October 10, 2019 – 7:00 PM

1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.

2. **Pledge of Allegiance**

3. **Roll Call and Recognition of Visitors:**

Present – Commissioners Fox, Colaianne, Grissim, Mitchell, Murphy Newsom Voight
Absent – None

4. **Approval of the Meeting Agenda:**

A Motion to approve the Meeting Agenda was made by Commissioner Colaianne and seconded by Commissioner Grissim. Motion carried unanimously.

5. **Approval of Meeting Minutes**

a. Planning Commission - Regular Meeting – August 22, 2019

A Motion to approve the Meeting Minutes of August 22, 2019 was made by Commissioner Mitchell and seconded by Commissioner Voight. Motion carried unanimously.

6. **Call to the Public**

None

7. **Presentation by Livingston County**

Kathleen Kline-Hudson, Director of the Livingston County Planning Department, gave a presentation of Livingston County projects including:

- Master Plan is in the implementation phase
- Updated profile of Hartland Township is on their webpage
- Livingston County Trail Network Plan – mapping existing trails of all kinds and identifying the gaps. Will eventually create a trail plan to provide connectivity.
- Fillmore County Park in Genoa Township is nearly complete but was delayed due to weather conditions this year.
- 2019 State of the County address will be October 30 at 6:00 PM

Commissioner Colaianne mentioned the Retail Market Analysis and the Residential Housing Study as touchstones for planning in Hartland Township.

8. **Old and New Business:**

- a. Public Hearing Rezoning #19-002 948 Old US-23 (Hartland Township)
Chair Fox explained the Public Hearing process.

Chair Fox opened the Public Hearing at 7:10 PM

Chair Fox stated Hartland Township is submitting a request is to rezone approximately 3.09 acres of land from PD (Planned Development) to LI (Light Industrial), located in Section 33

of Hartland Township (Parcel ID #4708-33-100-016), and addressed as 948 Old US-23. All public notice requirements for this Public Hearing have been met.

Director Langer identified the location and stated the following:

- PD (Planned Development) zoning typically is part of an approved project and has specific development guidelines.
- This site is zoned PD with no set guidelines.
- Landscape business operated on this site for many years and is now selling to a Kubota/Bobcat dealership.
- It was determined this site should have a zoning classification appropriate for the uses and location such as LI (Light Industrial).

Public Comment – None

Chair Fox closed the Public Hearing at 7:15 PM

The Planning Commission discussed the Zoning Ordinance Rezoning Criteria:

- Reviewed the Future Land Use Map.
- Use Determination already examined the uses in LI and determined the proposed use of a Kubota/Bobcat dealership is compatible.
- Correcting an existing zoning issue.

Commissioner Voight offered the following Motion:

Move to Recommend Approval of Rezoning #19-002, for the property addressed as 948 Old US-23 (Parcel ID #4708-33-100-016), approximately 3.09 acres in area, and as described in this memorandum, from PD (Planned Development) to LI (Light Industrial), based on the following findings:

- 1. The requested rezoning of the subject property to the LI (Light Industrial) zoning classification is consistent with the Township's Comprehensive Development Plan, which indicates the property should be developed as Light Industrial or Planned Development.**
- 2. Access to the subject property is provided from Old US-23 and the property has the minimum required frontage along Old US-23 for the LI zoning classification.**
- 3. The requested rezoning of the subject property to LI (Light Industrial) zoning classification is compatible with the surrounding uses and zoning, and is more appropriate than the current PD zoning classification.**

Seconded by Commissioner Grissim. Motion carried unanimously.

- b. Public Hearing Rezoning #19-003 1010 Old US-23 (Hartland Township)

Chair Fox opened the Public Hearing at 7:22 PM

Chair Fox stated Hartland Township is submitting a request is to rezone approximately 1.97 acres of property from GC (General Commercial) to LI (Light Industrial), located in Section

28 of Hartland Township (Parcel ID #4708-28-300-016). All public notice requirements for this Public Hearing have been met.

Director Langer identified the location and stated the following:

- Anomaly, no other GC (General Commercial) zoning abutting.
- Does not comply with previous use; cottages of some kind and a billboard.
- Opportunity to clear this issue up along with the previous parcel.
- Owner of the parcel has requested action be delayed on this parcel for now.
- Planning Commission could choose not to take action at this time, table this item if it chooses.

Commissioner Colaianne asked what the owner's reason was for delaying the rezoning. Director Langer stated it is in the process of being sold.

Public Comment – None

Chair Fox closed the Public Hearing at 7:26 PM

The Planning Commission discussed the owner's request and how to proceed.

**Commissioner Colaianne offered the following Motion:
Move to table Rezoning #19-003 1010 Old US-23 (Hartland Township).
Seconded by Commissioner Voight. Motion carried unanimously.**

c. Zoning Amendment #19-002 – Amend Single Family Residential Standards

Director Langer gave an overview of the amendment and stated the following:

- Planning Commission must initiate this request and ultimately make a recommendation to the Township Board.
- Subcommittee of the Planning Commission looked at this issue where owners of lake lots were having difficulty making improvements to their property.
- Research revealed Hartland Township is different than surrounding municipalities by either including more items in lot coverage calculations or a much lower percentage of lot coverage is allowed.
- Proposal included bumping up lot coverage standards, eliminating a confusing lot coverage exemption, creating a new standard for waterfront lots where property is owned across a street allowing a detached accessory building to be added, and added additional lot coverage to non-conforming lots.
- Originally discussed in August of 2019 but the Planning Commission requested more time to review the proposal.

Commissioner Grissim asked about the property owned across a street portion of the amendment. She stated in the SR district typically a single story garage is allowed but this is allowing two-story detached garages.

Director Langer responded these structures are a single-story with a loft area, not a true two-story building. The Lake Home Owners Associations were invited to the previous meeting

and it was requested to allow for a guest room, or living area above the garage for family or visitors. The intent of this provision is to accommodate that kind of request.

Commissioner Newsom stated the wording is confusing “second story or loft” and should be defined or clarified. He also commented that having a sleeping area in an accessory structure is something that has been discouraged in other parts of the Township as they can become second dwelling units over time.

Commissioner Murphy asked if plumbing would be included. Director Laager stated it could. Plumbing or living area does not constitute a second dwelling unit. In order to have a second dwelling unit generally there would have to be a kitchen or cooking facilities, bedroom, and a bathroom.

Commissioner Newsom suggested clarification by striking “second story”.
“A ~~second story or~~ loft area may be permitted, in addition to the 800 square feet, provided the accessory structure still complies, as otherwise set forth in this Ordinance, and a separate dwelling unit is not located within the accessory structure.

The Planning Commission discussed the proposed language change.

- Other SR zoned properties only get a single-story, why would lake lots be allowed to have two.
- Would this create problems later?
- There are many in existence currently.
- Difference is the roof structure.
- Would this make accessory buildings on the street around a lake too tall?
- Limit height instead.
- Around the lake there are tiny lots with tiny footprints so structures are generally taller.
- Discussed the definition of a story and a half.
- Unique district, almost like the Village.

Director Langer clarified specific sites have this issue; lake lots with an additional lot across the street. The house is on the lake side and the detached structure would be across the street not blocking anyone’s view.

Commissioner Colaianne stated they are really one lot with a road going through them. The owners have riparian rights which allow them greater lake access than the general public.

Director Langer stated the Assessor cannot create one parcel if the lots are divided by a road. Our attempt to put these property owners on notice and for future owners is to have the property owner record a deed restriction stating these lots should be sold together and not sold separately. The garage without a principal structure is only permitted by being under common ownership with the house on the other lot.

Commissioner Colaianne asked if it was only in platted subdivisions. The Director replied no, it is open to any trying to make it as simple as possible.

Chair Fox stated there will be many happy property owners with this amendment, there may be a few that are unhappy seeing a vacant lot have a structure. In other areas where this is the situation, it helps property owners to have a place to store items and not have them outside on the lot. He believes we are behind the times on this one. He is in favor.

The Planning Commission chose to leave the wording as it is.

**Commissioner Colaianne offered the following Motion:
Move to initiate a Zoning Ordinance Text Amendment, as outlined in the staff memorandum and attachment.**

Seconded by Commission Newsom. Motion carried unanimously.

9. Call to the Public

None

10. Planner's Report:

Director Langer reported the following:

- Hartland Township is accepting applications for the Planning Commission.
- Hartland Sports Center Ice Arena has had a slight change in the building elevation. A garage door has been added to both the east and west elevations for off-ice training purposes.
- Ben Franklin Plumbing is requesting to remove the retaining wall originally planned as part of the detention pond. Looking at alternative less costly options. This was part of the applicant's original proposal and not a requirement of the Township.
- McDonald's nationwide is changing their menu boards to the digital LED-style. He has been having discussions with the Site Plan Review Committee, McDonald's and the Township Attorney regarding the concerns moving forward with this product. He will bring this to the Planning Commission for a discussion when more information is available. He asked that the Planning Commission begin to think about this in the meantime.
- Possible rezoning south of M-59 for residential properties currently zoned Office which is restricting the property owners from making any improvements. Intends to change the zoning to the same residential zoning to the south which could possibly affect the rear setback of existing office developments to the north.
- Noble Appliance currently occupying the commercial area next to Rural King. The process for dividing that property in the way the occupants desired was much more complicated than they originally thought but it looks like it may be coming to completion. A Land Use Permit will be issued and they will be a new tenant next to Rural King.
- Transitional Housing discussion. Discussed recently that our Ordinance terms related to Child, Adult and Nursing care homes may be outdated. Howell is adopting a Transitional Care Housing Ordinance that would apply to homes for people recovering from diseases that require a temporary stay. This might be another form of transitional housing Hartland may want to address in any language change in the Ordinance in the future.

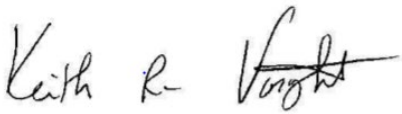
11. Committee Reports:

Commissioner Voight stated regarding LED menu boards, wait for some of the examples before forming an opinion and begin to look at drive-throughs in other areas.

12. Adjournment:

A Motion to adjourn was made by Commissioner Newsom and seconded by Commissioner Mitchell. Motion carried unanimously. The meeting was adjourned at approximately 8:08 PM.

Submitted by,

A handwritten signature in black ink that reads "Keith R. Voight". The signature is written in a cursive style with a horizontal line through the middle of the last name.

**Keith Voight,
Planning Commission Secretary**