



Planning Commission

Larry Fox, Chairperson Summer L. McMullen, Trustee
Michael Mitchell, Vice-Chairperson Sue Grissim, Commissioner
Tom Murphy, Secretary Jim Mayer, Commissioner
Matthew Eckman, Commissioner

Planning Commission Meeting Agenda
Hartland Township Hall
Thursday, January 23, 2025
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. 2025 Annual Planning Commission Organizational Meeting
 - a. Hartland Township Planning Commission Rules and Procedures (By-Laws)
 - b. Election of Officers
 - c. Committee Appointments
5. Approval of the Agenda
6. Approval of Meeting Minutes
 - a. Joint Board of Trustees and Planning Commission Special Work Session Meeting Minutes of December 12, 2024
7. Call to Public
8. Public Hearing
 - a. Zoning Amendment #25-001 – Amendment to permit in-ground swimming pools in front yard of waterfront lots
9. Call to Public
10. Planner's Report
 - a. Year in Review
11. Committee Reports
12. Adjournment



HARTLAND TOWNSHIP PLANNING COMMISSION

RULES AND PROCEDURES (BY-LAWS)

*Originally adopted December 16, 2010
Last Reviewed and Reaffirmed January 9, 2025*

I. INTRODUCTION

The basic responsibilities of the Hartland Township Planning Commission are contained in the Michigan Planning Enabling Act, Public Act 33 of 2008 and the Michigan Zoning Enabling Act, Public Act 110 of 2006, each as amended. Each of these Acts grants specific jurisdiction to a Township Planning Commission in matters of land use planning and associated public concerns. These rules of procedure will be followed by the Hartland Township Planning Commission. Also presented are the general operating regulations for the Hartland Township Planning Commission. Regular meetings, special meetings, public records, agendas, quorum, disqualification, order of business and parliamentary procedures will be outlined.

II. DUTIES OF THE PLANNING COMMISSION

The Planning Commission shall perform the following duties:

- Prepare, review and update the master plan (Township Comprehensive Plan) as a guide for development.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the Zoning Ordinance as required.
- Take such action on petitions, staff proposals and Township Board requests for amendments to the master land use plan as required.
- Prepare an annual written report to the Township Board of the Planning Commission's operations and status of planning activities, including recommendations regarding actions by the Township Board related to planning and development.
- Prepare an annual work program and budget.
- Review subdivision and condominium proposals and recommend appropriate actions to the Township Board.
- Prepare special studies and plans, as deemed necessary by the Planning Commission or Township Board and for which appropriations of funds have been approved by the Township Board, as needed.
- Attend training sessions, conferences or meetings as needed to properly fulfill the duties of Planning Commissioner and for which appropriations of funds have been approved by the Township Board, as needed.
- Prepare a Capital Improvements Plan.
- Perform other duties and responsibilities or respond as requested by any Township Board or Commission.

III. RULES OF ADMINISTRATIVE PROCEDURE

The following rules of procedure were adopted and are periodically reaffirmed by the Township Planning Commission to facilitate the performance of its duties and the exercising of its responsibilities, functions and powers.

1.0 OFFICERS

A) ELECTION

The Commission shall, at its first regular meeting of the calendar year, elect from among the voting members, a Chair, Vice–Chair, and Secretary. All elected officers are eligible for re-election.

B) TENURE

The Chair, Vice-Chair and Secretary shall take office immediately following their election and shall hold office for a term of one year or until their successors are elected and assume office.

C) DUTIES OF THE CHAIR/VICE–CHAIR

- The Chair shall preside at all meetings and perform such other duties as may be ordered by the Commission.
- The Chair shall appoint all committee members, for a term of one year. The Chair may reassign members or re-designate Committee members at his/her discretion. The Chair shall be an ex-officio member of all committees.
- All communications, petitions and reports shall be globally addressed to the Commission and delivered or mailed to the Township Hall attention the Chair or Township Planner.
- The Vice-Chair shall act in the capacity of the Chair in his/her absence. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Commission shall select a successor to the office of Vice-Chair for the unexpired term.

D) DUTIES OF THE SECRETARY

The Secretary shall execute all documents in the name of the Commission, perform the duties listed below, and shall perform such other duties as the Commission may determine.

1. MINUTES

- The Secretary shall be responsible for the minutes and they will be maintained in suitable volumes at the Township Hall. Copies of the draft minutes will be provided to all voting Commission members in the packet of information with the agenda for the meeting in which they are to be approved. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance.
- After minutes from a previous meeting are approved by a majority of the Commission at subsequent meeting, they will be signed by the Secretary and forwarded to the Township Clerk.
- The minutes of the Commission meetings shall be filed in the office of the Township Clerk as a public record and no official action taken by the Commission at any meeting shall be validated or effective until a copy of the minutes of the meeting at which such action was taken shall be filed with the Township Clerk.
- The Township Clerk shall keep a record of the Commission transactions, findings, and determinations, which shall be a public record. These records shall be suitably filed in the offices of Hartland Township by the Clerk's office with a duplicate copy kept in the Planning Department's files. All meetings, minutes, records, documents, correspondence and other materials of the Planning Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

2. CORRESPONDENCE

When assigned, the Secretary shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the Secretary shall be brought to the attention of the Planning Commission.

3. RECORDING SECRETARY

The Commission may appoint a Recording Secretary, who shall be an employee of the Commission and be reimbursed for his/her services by the Township. The Recording Secretary shall make a record of Commission proceedings and carry out other assignments as delegated from time to time by the Commission or Secretary. The Recording Secretary under the direction of the Secretary may execute any of the Secretary responsibilities defined above.

E) DUTIES OF THE TOWNSHIP BOARD REPRESENTATIVE

The Township Board representative shall present the recommendations of the Planning Commission as required by the Zoning Ordinance, Subdivision Ordinance or other Ordinance to the Township Board prior to their consideration of such request. The representative will also update the Township Board of other efforts undertaken by the Planning Commission, such as subcommittee progress, ordinance revisions, etc.

F) DUTIES OF THE ZONING BOARD OF APPEALS REPRESENTATIVE

The Planning Commission representative to the Zoning Board of Appeals shall report the actions of the Zoning Board of Appeals to the Planning Commission and update the Zoning Board of Appeals on actions by the Planning Commission that relate to the functions and duties of the Zoning Board of Appeals.

2.0 MEETINGS

A) REGULAR MEETINGS

The regular meetings of the Hartland Township Planning Commission will be held the second and fourth Thursdays of every month at a time to be determined by the Planning Commission at the meeting in which the regular meeting schedule is adopted or as otherwise designated by the Chair of the Planning Commission. When the regular meeting day falls on a legal holiday or when an occasion of special importance takes place, the Chair shall select a suitable alternative day in the same month. Prior to the end of the year, the Chair will submit to the Planning Commission the regular meeting schedule for the upcoming year, for their approval. The adopted schedule will become the regular schedule of the subsequent year and will be posted at the Township Hall within ten (10) days after the first Planning Commission meeting of the New Year in accordance with the Open Meetings Act

Ideally, all meeting agendas will also be posted at the Township Hall at least one week prior to the meeting and will be provided to Hartland TV for advertisement on the local cable network. All meeting notices shall be in accordance with the Open Meetings Act.

B) SPECIAL MEETINGS

In addition to the bi-monthly regular meetings, the Commission may also periodically conduct special meetings. There are three kinds of Special Meetings that may be called by the Planning Commission. The various special meeting types are discussed below:

- **Special Meeting A:** A special meeting may be called to convenience applicants with matters before the Planning Commission for consideration, provided that the petitioners' application for special meeting shall be accompanied with appropriate fees, as established by resolution of the Hartland Township Board. The Planning Department shall give special meeting petitions to the applicant. Once the Planning Department verifies that the appropriate fees have been received, the Department shall forward the application to the Planning Commission Chair. The Chair shall give notice of the special meeting by means of notice delivered to each member at least seventy-two (72) hours prior to such meeting and shall state the purpose, item, and place of the meeting.
- **Special Meeting B:** A regular meeting called by the Chair or majority of the Planning Commissioners for the expressed purpose of addressing normal and typical business that comes before the Commission. For example, a special meeting may be called for urgent township business that cannot await action until the next regularly scheduled meeting. If a special meeting is required to satisfy statutory deadlines (such as required by the Subdivision Control Act), then additional applicant fees may be waived.
- **Work Session:** A work session is another form of special meeting held by the Planning Commission. Work sessions may be held for subcommittee meetings (fewer than three Planning Commission members present) or for a meeting of the full Commission for general discussion to further a specific purpose. Generally, discussion and action for items intended for Regular Meetings will not be acted on during a work session, especially since a quorum may not be present. In the interest of satisfying the Open Meetings Act, all work sessions involving the whole Planning Commission shall be duly advertised to permit the public to attend.

Notwithstanding the foregoing descriptions of the three types of special meetings held by the Planning Commission, a meeting shall be a legal meeting if enough members of the Planning Commission are present to constitute a quorum and minutes will be prepared.

C) QUORUM

Four (4) members shall constitute a quorum for the transaction of business and the taking of official action. Whenever a quorum is not present, those present may adjourn the meeting to another time and day, in accordance with the provisions of the Open Meetings Act, or hold the meeting to consider the matters on the agenda. No action shall be taken at a meeting at which a quorum is not present.

D) VOTING

An affirmative vote of the majority of the Planning Commission membership is required to adopt any part of the master plan or amendments to the plan (MCL 125.328). Unless required by statute, other actions or motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, as long as a quorum is present. Voting shall be by voice vote; a roll call vote shall be required if requested by any commission member or directed by the Chair. Except in the case of conflict of interest, all Planning Commission members, including the Chair, shall vote on all matters.

Voting shall be recorded by verbal "yeas" and "nays" unless otherwise ordered by a PC member.

E) NOTICE

The Township Planner shall oversee the issuance of such notice as may be required by the Planning Commission, including Open meetings Act notices, as well as notice required for specific planning or zoning actions under the Michigan Planning Enabling Act of the Michigan

Zoning Enabling Act. Verification of such notice shall be provided to the Planning Commission prior to the date and time of the public hearing.

F) AGENDA

The Chair with information and documentation provided by staff and consultants shall determine when items are to be placed on the agenda. The staff shall then prepare the agenda in its written form for distribution.

All regular and special meetings shall conduct business in the following order:

1. Call to Order
2. Pledge of Allegiance
3. Roll Call and Recognition of Visitors
4. Approval of Meeting Agenda
5. Approval of Minutes for past meetings or work sessions
6. Call to Public
7. Public Hearing(s)
8. Old and New Business
9. Call to Public
10. Planner's Report
11. Committee Reports
 - Correspondence Received
 - Committee Reports from Planning Commissioners
 - Report from Township Board Representative
 - Report of Zoning Board of Appeals Representative
12. Adjournment

Note: The agenda may be modified to include a work session following a brief recess of the regular meeting.

G) PARLIAMENTARY PROCEDURES

Except where otherwise specified, meetings shall be conducted according to Robert's Rules of Order (21st CENTURY ROBERT'S RULES OF ORDER COPYRIGHT 1995), except to the extent contradicted by these rules and procedures, and with the exception that the Chair shall vote.

H) MOTIONS

The Chair or Recording Secretary shall repeat complex motions before a vote is taken. The names of the persons making the motion and its second shall be recorded in the meeting minutes. The meeting minutes shall show the count of the vote with the "nays" being identified.

3.0 COMMITTEES

In order to facilitate the orderly review of matters before the Commission, the following standing committees are created:

A) SITE PLAN REVIEW COMMITTEE

The Committee shall include three (3) Planning Commission members. The Committee will review site development plans as provided by the Township Zoning Ordinance in an informal manner through meeting with the developer/applicant. Upon receiving a complete application for an informal Site Plan Review, the Planning Department will schedule a meeting with the Site Plan Review Committee and the applicant. The Committee will update its findings and brief the Planning Commission when the informal review is complete. The makeup of the Committee may vary depending on the number of site plan reviews occurring and individual Planning Commissioner time constraints.

B) OTHER COMMITTEES

The Chair may appoint other committees from time to time, which serve to assist the Planning Commission in discharging its responsibilities.

C) APPOINTMENTS AND VACANCIES

The Chair shall make appointments to these committees. The length of appointment shall be for one (1) calendar year. These committees shall meet as needed to consider the referrals given to them by the Township Planner. The Committees will review applications and make their recommendations to the Planning Commission.

If a vacancy occurs on the Planning Commission that affects the standing committee appointments, the Chair shall appoint replacement members to complete the balance of the year.

4.0 PROCEDURE FOR PUBLIC PARTICIPATION

A limit of three (3) minutes per participant during the call to the public shall be permitted for any written or oral statements. The unofficial policy of the Commission will be to accept public input during the meeting for topics under discussion. If necessary, the Chair may set time limits for public participation during any meeting to ensure an orderly meeting.

All public hearings must be held as part of a regular or special meeting of the Planning Commission. The following rules of procedure shall apply to public hearings held by the Planning Commission:

- Chair opens the public hearing and announces the subject.
- Chair summarizes the procedures/rules to be followed during the hearing.
- Township planner/engineer/other consultants present their report and recommendation.
- Applicant presents the main points of the application.
- Public at large is invited to speak in support or opposition to the application.
- Chair closes the public hearing and returns to the regular/special meeting.

To ensure everyone has the opportunity to speak, the Chair may elect to limit the time permitted to speak, except that the applicant may be permitted additional time as the Chairperson allows. The Chair may also elect to allow persons to speak only once, until all persons have had the opportunity to speak, at which time the chairperson, in his/her discretion, may permit additional comments.

All comments by the public, staff and the Planning Commission shall be directed to the Chair. All comments shall be related to the application under discussion; unrelated comments shall be ruled out of order.

5.0 CONFLICT OF INTEREST

Planning Commission members shall declare a conflict of interest and abstain from participating in a hearing or deliberations on a request when:

- A)** The applicant is an immediate family member or relative;
- B)** The Planning Commission member has a business or financial interest in the property involved in the request or has a business or financial interest in the applicant's company, agency or association;
- C)** The Planning Commission member owns or has a financial interest in neighboring property. For purposes of this section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable ordinance, or
- D)** There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.

The Planning Commission member declaring a conflict of interest shall state the nature of the conflict and whether he or she believes they could impartially consider the request before the commission. He or she should individually decide to abstain from any discussion or votes relative to the matter that is the subject of the conflict. The member declaring a conflict may absent him/herself from the room in which the discussion takes place, unless doing so would violate his or her constitutionally protected rights to participate. He or she should not make any presentations to the Planning Commission as a representative of the proposal.

6.0 ANNUAL ORGANIZATIONAL MEETING

An annual organizational meeting shall occur at the first regular meeting of the year for election of a Chair, Vice-Chair and Secretary.

7.0 PLANNING COMMISSION ASSISTANCE

A) Duties of the Township Planner

- Accept applications for matters to be reviewed by the Planning Commission and ensure that such applications are complete.
- Forward application materials to the Planning Commission at least one week prior to the meeting at which the matters will be considered.
- Inform the Planning Commission of administrative and enforcement actions taken on behalf of the Township related to the zoning or other appropriate ordinance.
- Prepare amendments to the Zoning Ordinance as directed by the Planning Commission.
- Attend regular Planning Commission Meetings and Work Sessions.
- Consult with the Planning Commission and other township officials concerning interpretation, procedural questions and other matters arising from the Zoning Ordinance.
- Prepare written reviews and recommendations, if appropriate, for all requests and development proposals to be considered by the Planning Commission.

- Meet with applicants, their representatives and/or township officials as needed to properly perform project reviews.
- Prepare an annual report regarding development activities and status of projects as they relate to the Planning Commission’s duties as described.
- Perform other duties as directed by the Planning Commission.

B) Assistance From Other Professionals

- The Planning Commission may be assisted by other professional or township staff as needed, including the building inspector, township attorney, township engineer, consultants or other persons or agencies.

8.0 AMENDMENTS TO RULES AND PROCEDURES

Amendments to these rules and procedures may be initiated by any member of the Planning Commission at any regular meeting and voted upon. To make certain the By-Laws reflect current Commission practice, it is recommended that they be reviewed and reaffirmed annually.

Originally adopted by the Hartland Township Planning Commission at a regular meeting dated:

- **December 16, 2010**

Reviewed and reaffirmed by the Hartland Township Planning Commission at a regular meeting dated:

- **January 12, 2012**
- **February 14, 2013**
- **January 23, 2014**
- **January 15, 2015**
- **January 14, 2016**
- **January 12, 2017**
- **January 11, 2018**
- **February 14, 2019**
- **January 9, 2020**
- **January 7, 2021**
- **January 13, 2022**
- **January 12, 2023**
- **January 11, 2024**
- **January 9, 2025**

_____ - Chair

_____ - Vice-Chair

_____ - Secretary

HARTLAND TOWNSHIP JOINT BOARD OF TRUSTEES AND PLANNING COMMISSION
SPECIAL WORK SESSION **DRAFT** MEETING MINUTES

DECEMBER 12, 2024– 7:00 PM

1. **Call to Order:** Chair Fox called the Work Session meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
PLANNING COMMISSION
Present – Commissioners Grissim, Fox, Mayer, McMullen, Mitchell, & Murphy
Absent – Commissioner Eckman

BOARD OF TRUSTEES
Present – Supervisor Fountain, Clerk Ciofu, Trustees Lubeski, McMullen, O'Connell, and Petrucci
Absent – Treasurer Horning
4. **Approval of the Meeting Agenda:**
A Motion to approve the December 12, 2024, Joint Board of Trustees and Planning Commission Special Work Session Meeting Agenda was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried 6-0.
5. **Approval of Meeting Minutes:**
 - a. Planning Commission Meeting Minutes of October 24, 2024
A Motion to approve the Planning Commission Meeting Minutes of October 24, 2024, was made by Commissioner Mitchell and seconded by Commissioner Murphy. Motion carried 6-0.
 - b. Planning Commission Meeting Minutes of November 7, 2024
A Motion to approve the Planning Commission Meeting Minutes of November 7, 2024, was made by Commissioner Grissim and seconded by Commissioner Mayer. Motion carried 6-0.
6. **Call to the Public:**
None
7. **Work Session**
 - a. ITE Informational
Discussion by Director Langer on the ITE (Institute of Transportation Engineers) Manual, including overview of terms “Trips” and “Trip Ends” as well as discussion on AM and PM peak hour trip ends vs. overall trip ends on a weekday, for various uses.

Director Langer discussed a sample data page from the ITE manual and explained the different figures that are represented on that page and their meaning. Director Langer outlined the Single Family Detached Housing land use category in the ITE manual and explained the different ways to measure traffic estimates on that land use category.

Director Langer also discussed the Free-Standing Discount Superstore and Automated Car Wash land use categories and estimated trip generation figures of those land use categories.

Director Langer then outlined an example traffic study for a proposed car wash, located in Littleton, Colorado. Director Langer explained the proposed results of that traffic study and how a similar car wash would be addressed in Hartland Township.

Director Langer summarized the traffic information and answered questions from Board and Planning Commission members.

8. Old and New Business

a. 2025 Planning Commission Meeting Calendar

A Motion to approve the 2024 Planning Commission Meeting Calendar was made by Commissioner Mitchell and seconded by Commissioner McMullen. Commissioner amended the agenda item to reflect the calendar should be the 2025 meeting calendar Motion carried 6-0.

9. Call to the Public:

None

10. Planner Report:

11. Committee Reports:

None

12. Adjournment:

A Motion to adjourn was made by Commissioner McMullen and seconded by Commissioner Murphy. Motion carried 6-0. The meeting was adjourned at approximately 8:30 PM.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Zoning Amendment #25-001 – Amendment to permit in-ground swimming pools in front yard of waterfront lots

Date: January 16, 2025

Recommended Action

Move to recommend approval of Zoning Amendment Text Amendment #25-001, as outlined in the staff memorandum.

Discussion

Overview and Background Information for Request

The Township Planning Commission received a request from a Township resident that desired to install an in-ground swimming pool between their existing single family residential structure and a lake.

Section 5.14.3.D.i. indicates that private swimming pools shall be permitted as an accessory use in the rear or side yard in residential districts.

Section 3.7.3 indicates that waterfront lots, which abut a lake, pond, or stream shall provide the required front yard along the waterfront and along every public or private road.

Section 5.20.2.A. indicates Fences in the RR, STR, SR, MDR, HDR, MR, and MR-2 Districts or in a residential PD District may be located in the required side or rear yard, subject to the following requirements:

- i. Maximum Height. The maximum height shall be six (6) feet for fences located in the rear or side yard and no closer than the front line of the front wall of the principal building.
- ii. Location. No fence shall be permitted closer to the front lot line than the front wall of the principal building.

As a result of the stated regulations, swimming pools and their required fencing would not be permitted in the front yard. Since the waterfront area is classified as the front yard area, swimming pools, and their required fencing are not permitted between the house and the waterfront on a residential property. The proposed amendment would permit an in-ground swimming pool between a house and the waterfront. An above ground swimming pool would not be permitted in this area. Also, since fencing around the in-ground swimming pool is required, the amendment would permit the required fencing around the pool area only. Fencing beyond the pool area would remain not permitted.

The Planning Commission discussed this topic at their Work Session held on September 26, 2024. The consensus of the Planning Commission was to permit in-ground swimming pools in the front yard of waterfront lots and amend the regulations to permit required fencing around the in-ground pool.

At the September 26, 2024, Work Session, the Planning Commission initiated a zoning amendment to permit in-ground swimming pools and required fencing in the front yard of waterfront lots.

Zoning Amendment #25-001 In-ground swimming pools in front yard of waterfront lots

January 16, 2025

Page 2

Sections Proposed for Text Amendment

Section 5.14.3.D. Private Swimming Pools

This section outlines the standards for private swimming pools and limits the location to side and rear yard areas. The amendment would permit an in-ground swimming pool between the house and the waterfront, which is the front yard area.

The amendment would also permit the required fencing for the in-ground pool between the house and the waterfront.

Process

Zoning Ordinance Text Amendments are outlined in Section 7.4.4 of the Zoning Ordinance, as follows:

4. Zoning Ordinance Text Amendment Criteria. The Planning Commission and Township Board shall consider the following criteria for initiating amendments to the zoning ordinance text or responding to a petitioner's request to amend the ordinance text.
 - A. The proposed amendment would correct an error in the Ordinance.
 - B. The proposed amendment would clarify the intent of the Ordinance.
 - C. Documentation has been provided from Township staff or the Zoning Board of Appeals indicating problems or conflicts in implementation or interpretation of specific sections of the ordinance.
 - D. The proposed amendment would address changes to state legislation.
 - E. The proposed amendment would address potential legal issues or administrative problems with the Zoning Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.
 - F. The proposed amendment would promote compliance with changes in other Township ordinances and county, state or federal regulations.
 - G. The proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
 - H. Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the Township, promote implementation of the goals and policies of the Comprehensive Plan and enhance the overall quality of life in Hartland Township.

Based on Section 7.4.4 of the Zoning Ordinance, either the Planning Commission or the Township Board may initiate a Zoning Ordinance Text Amendment. The Planning Commission initiated the amendment at their Work Session held on September 26, 2024. A public hearing is scheduled for Zoning Amendment #25-001 for the January 23, 2025, Planning Commission meeting.

Attachments:

1. Draft Ordinance Amendment 01.16.2025– PDF version

T:\PLANNING DEPARTMENT\PLANNING COMMISSION\2025 Planning Commission Activity\Zoning Amendments\ZA #25-001 In ground swimming pools waterfront lots\Staff reports\PC\ZA 25-001staff report PH PC 01.16.2025.docx

TOWNSHIP OF HARTLAND

**AMENDMENT TO PERMIT IN-GROUND SWIMMING POOLS
IN FRONT YARD OF WATERFRONT LOTS**

PROPOSED AMENDMENT

Section 5.14.3.D. Private Swimming Pools

i. Location. Private swimming pools shall be permitted as an accessory use in the rear or side yard in residential districts, provided that pools in the side yard of parcels that are two (2) acres or smaller shall be screened from the road. Pools shall not be located in any road or utility right-of-way or easement, except as provided in this Section. Positive drainage shall be maintained in accordance with the Township's Engineering Design Standards. **In-ground swimming pools may be permitted between the single family house and the waterfront, on waterfront shore line properties, provided that the in-ground swimming pool complies with all other required setback requirements, lot coverage requirements, and other applicable zoning standards.**

ii. Setbacks. Private swimming pools and their associated decks or hard surface surrounds shall comply with the setback requirements for an accessory structure. The pool surrounds, including all decks and impervious perimeters shall be calculated as part of the maximum lot coverage. Pools shall be constructed no closer than ten (10) feet to any building on the same parcel.

iii. Fencing. Private swimming pools shall be enclosed within a minimum four (4) foot high fence. All fences shall be subject to the requirements in Section 5.20. Entry shall be by means of a self-closing, self-latching gate. The latch shall be on the inside so that it is not readily available to children to open. Gates shall be securely locked when the pool is not in use. A fence shall not be required for pools that are wholly or partially above ground, provided that the wall of the pool is at least four (4) feet in height and that no ladder, deck or other structure provides access to the pool while it is unattended. **In-ground swimming pools on waterfront properties shall be permitted to install the required fencing around the pool area, and is located in between the single family house and waterfront.**

ANNUAL REPORT OF HARTLAND TOWNSHIP



PLANNING & ZONING DEPARTMENT

Year in Review
2024

I. MEMBERSHIP

Planning Commission Members		Term Expiration
Chair	Larry Fox	12/31/2027
Vice Chair	Michael Mitchell	12/31/2026
Secretary	Tom Murphy	12/31/2025
Commissioner	Sue Grissim	12/31/2025
Commissioner	Matthew Eckman	12/31/2025
Commissioner	Jim Mayer	12/31/2026
Twp Brd Rep	Summer McMullen	12/31/2028

Zoning Board of Appeals		Term Expiration
Chair	Bruce Douglas	12/31/2026
Vice Chair/PC Rep	Michael Mitchell	12/31/2026
Commissioner	Melanie Bartley	12/31/2027
Commissioner	Dennis Pate	12/31/2028
Twp Brd Rep	Denise O’Connell	12/31/2028

Planning Department Staff	
Planning Director	Troy Langer
Planner/Landscape Architect	Martha K. Wyatt
Planning Assistant	Carol Morganroth
Zoning Enforcement Officer	Dan Loftus

II. MEETING SCHEDULE

Planning Commission & Zoning Board of Appeals Meetings

PC	1/11	1/25	2/8	2/22	3/14	4/25	5/9	5/23	6/27	7/11	7/18	8/8	9/12	9/26	10/10	10/24	11/7	12/12
	WS	R	WS	R	WS	R	R	R	R	R	J	R	WS	WS	R	R	R	WS-J

R = Regular Scheduled Meeting ; WS = Work Session ; J = Joint Meeting with Township Board

ZBA* = Did not meet in 2024

III. WORK SESSION TOPICS DISCUSSED

- Renewable Energy Ordinance
- Accessory Dwelling Units
- Swimming Pools on Lakefront Properties Ordinance Amendment
- Traffic

IV. ZONING ORDINANCE AMENDMENTS

Ordinance Description	Text	Date
Chapter 3 Permit Pharmacies under 2000 square feet in LC, NCS, and GC	<p>Section 3.1.12.B. Principal Permitted Uses (LC – Limited Commercial) This section lists the Principal Permitted Uses in LC (Limited Commercial). Pharmacies is to be added as a Principal Permitted Use, with a size limitation of 2,000 square feet.</p> <p>Section 3.1.13.B. Principal Permitted Uses (NSC – Neighborhood Service Commercial) This section lists the Principal Permitted Uses in NSC (Neighborhood Service Commercial). Pharmacies is to be added as a Principal Permitted Use, with a size limitation of 2,000 square feet.</p> <p>Section 3.1.14.B. Principal Permitted Uses (GC – General Commercial) This section lists the Principal Permitted Uses in GC (General Commercial). Pharmacies is to be added as a Principal Permitted Use.</p>	<p>Recommended Approval 1/25/24, Finally Approved by TB 3/5/24, Published/ Adopted 3/10/24</p>

V. DEVELOPMENT APPLICATION REVIEWS

Case #	Name	Location	Description	Action	Date of Action	TB Approved
PD-P #24-001	3-Story Climate Controlled Self Storage Facility	M-59 / Behind Arby's	Planned Development Preliminary Review	Rec Approval w/Conditions	5/9/2024	6/4/2024
SP #24-002	BP Fuel Station Exterior Facade	10440 Highland	Amend Site Plan	Approved w/Conditions	2/22/2024	N/A
PD-P #24-003	Redwood Phase II	Redwood Rose Way	Planned Development Preliminary Review 130 Units 28 Bldgs	Rec Approval w/Conditions	6/27/2024	7/23/2024
SUP #24-004	Microbrewery at Spicer's Farm Market	10411 Clyde	Special Use Permit to add Microbrewery	Rec Approval w/Conditions	5/23/2024	6/4/2024
PD-P #24-005	Square One Mixed Use	SW Corner of M-59/Old US 23	Planned Development Preliminary Review	N/A	N/A	N/A
PD-F #24-006	Highland Reserve	M-59/Hartland Glen (East)	Final Planned Development Review 101 SF Houses, 35 of which are Rentals	Rec Approval w/Conditions	7/11/2024	7/23/2024
SP/SUP #24-007	DMG Horticulture/Dustin's Lawnmowing	5329 Fenton	Site Plan w/ Special Use Permit for Landscaping/Nursery Business	SP Approved, SUP Rec Approval w/Conditions	8/8/2024	8/21/2024
SP/SUP #24-008	Express Car Wash Concepts	10587 Highland (fmr Big Boy)	Site Plan w/ Special Use Permit for Car Wash	Withdrawn from Public Hearing	N/A	N/A
PD-C #24-009	Yaldo	M-59/Pleasant Valley	Planned Development Conceptual Review for 167 SF Residential Homes	No Action - Comments Only	11/7/2024 (Revised – No Apts) Comments Only	11/19/2024 Comments Only
PD-C #24-010	Chick-fil-A	10382 Highland (fmr Burger King)	Planned Development Conceptual Review for Restaurant with Drive-through	No Action - Comments Only	10/10/2024 Comments Only	11/6/2024 Comments Only

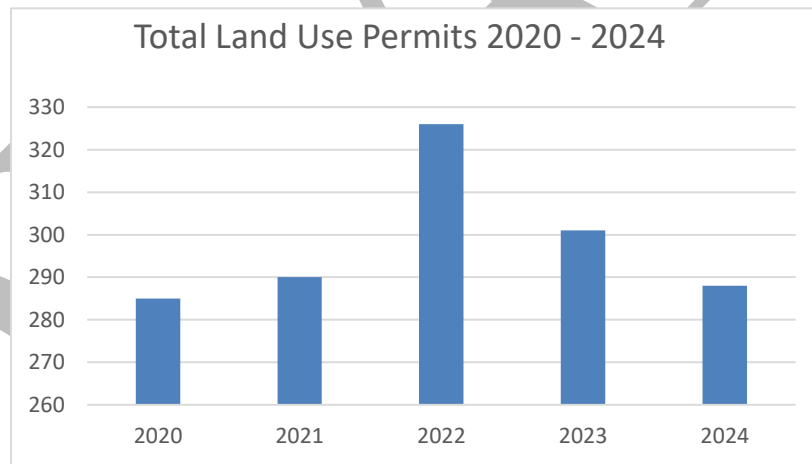
VI. ZONING MAP

- The Zoning Map is currently being updated with any changes or corrections that have occurred over the last several years. This is now scheduled to do yearly to keep the districts updated. The Zoning Map is available to view in the Planning & Zoning Department as well as online at:
<https://www.hartlandtwp.com/planning/page/maps>
- As previously mentioned, the Future Land Use Map will be reviewed in the Master Plan to keep on the pro-active end of potential development opportunities.

VII. ACCOMPLISHMENTS

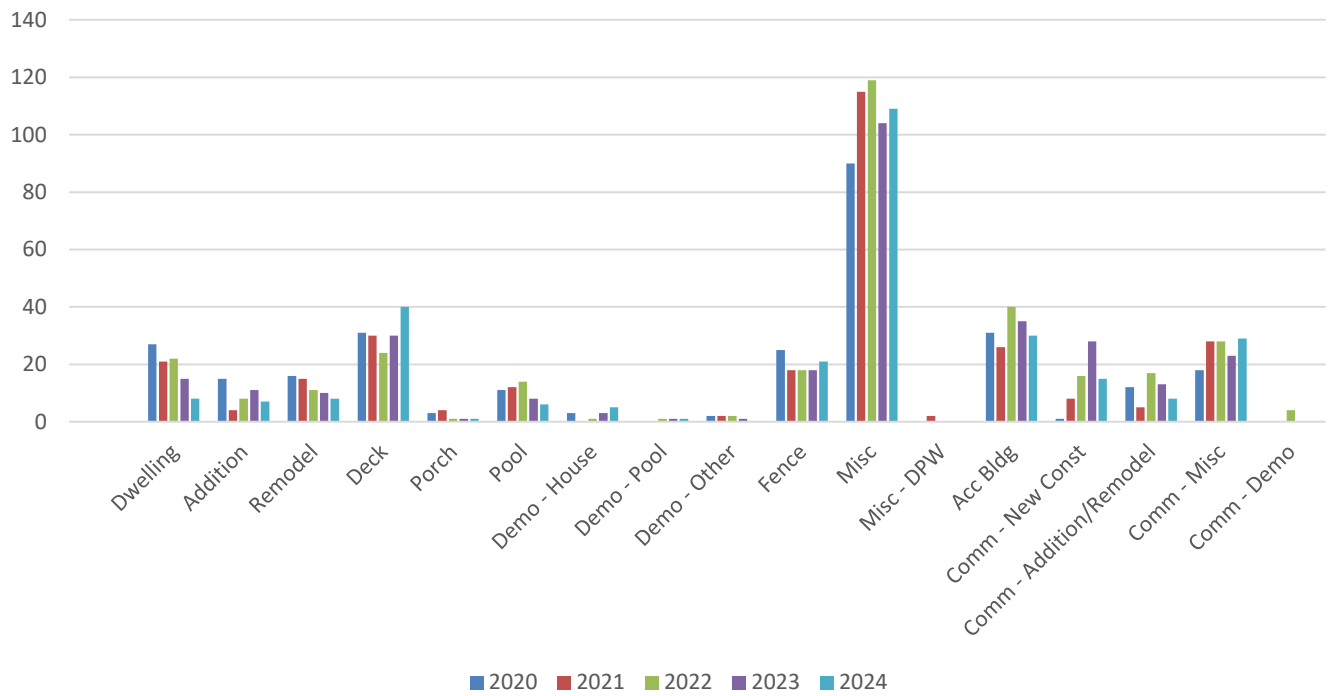
PERMITS

- Processed 367 total permit applications, 288 of which are Land Use Permits, down from 2023. New house starts were down 47% from 2023.
- Processed 23 Special Event Permit applications as events and group gatherings continue.
- Processed 9 Land Division/Combination/Boundary Line Adjustment applications.
- Processed 8 new single-family construction Land Use Permit Applications.
- Processed 10 Zoning Compliance Certificates for new/relocated/sold businesses.



2020	2021	2022	2023	2024
285	290	326	301	288

Land Use Permit By Category 2020 - 2024



	2020	2021	2022	2023	2024
Dwelling	27	21	22	15	8
Addition	15	4	8	11	7
Remodel	16	15	11	10	8
Deck	31	30	24	30	40
Porch	3	4	1	1	1
Pool	11	12	14	8	6
Demo - House	3	0	1	3	5
Demo - Pool	0	0	1	1	1
Demo - Other	2	2	2	1	0
Fence	25	18	18	18	21
Misc	90	115	119	104	109
Misc - DPW	0	2	0	0	0
Acc Bldg	31	26	40	35	30
Comm - New Const	1	8	16	28	15
Comm - Addition/Remodel	12	5	17	13	8
Comm - Misc	18	28	28	23	29
Comm - Demo	0	0	4	0	0
Total	285	290	326	301	288

ZONING ENFORCEMENT

The Township continued to work through Zoning Enforcement matters with Zoning Officer Dan Loftus. Dan has established an excellent pattern of follow-through with habitual code violation properties. Abigail Carrigan joined our team briefly last summer to accomplish Zoning Enforcement of some dead or missing landscaping items on our commercial properties. She performed site visits, research and sent letters and Landscape Plans to the occupants and owners of those properties.

- Code Enforcement processed 102 new complaints in 2024, compared to 72 new complaints in 2023. Currently there are 10 being investigated, 44 resolved, 5 determined unfounded, 24 Notices of Violation sent, 543 inspections, 343 signs collected, and fielded over 251 phone calls.

2024 Code Enforcement Cases by Category

Category	Complaints
Landscaping	26
Blight	21
Signs	18
Zoning	5
Noise	5
Site Plan Violation	5
Permit Required	4
Dom Animals	3
Grass/Weed Control	2
Outdoor Storage	2
Parking on grass	2
Misc	2
Lighting	2
Home Occupation	1
Comm vehicle	1
Dangerous Building	1
Junk Car/Parts	1
Nuisance	1
Grading	0
Drainage	0
Inoperable Vehicle	0
Total	102