

## **ZONING BOARD MINUTES OF MEETING HELD MARCH 28, 2000**

A regular meeting of the Charter Township of Texas Zoning Board was held on Tuesday, March 28, 2000 commencing at 7:00 p.m. at the Texas Township Hall. Members present: George Sprau, Bryan Lewis, Suzette Deaux, Tom Hamming, Steve Bosch, Members absent: Barbara Huber and Steve Woollam. Zoning Administrator Jeff Mais, Township Attorney Lynda E. Thomsen, and 8 interested persons were also present.

**1. CALL TO ORDER and ROLL CALL**

Chairman Bosch called the meeting to order at approximately 7:00 p.m. Roll was called with the results shown above.

**2. SET AGENDA**

The agenda was not changed.

**3. APPROVAL OF MINUTES and MISCELLANEOUS**

Mr. Sprau **moved** to approve the minutes of the February 8, 2000 meeting. Ms. Deaux supported the motion, and it **carried**. Mr. Sprau **moved** to approve the minutes of the March 14, 2000 special meeting, with a correction on page one to show that Mr. Bosch was present. Mr. Lewis **supported** the motion, and it **carried**.

**4. Fiskars, Inc.**

This matter was left on the table.

**5. Tamara Ricketts**

This matter was left on the table. The applicant has a variance application pending at the ZBA.

**6. Tamara Ricketts**

This matter was also left on the table. See above.

**7. Mark Boven**

This matter was left on the table, and will be considered at the April 25 meeting.

**8. Total Logistics Control, LLC**

**Item No. 00-107**

**Name: Cal Silveus**

**Address: 6935 Beatrice Drive 49009**

**Request: Amendment of site plan for storage trailer on SW corner of property**

No one was present for the applicant, but the Zoning Board proceeded with the review.

## ZONING BOARD MINUTES OF MEETING HELD MARCH 28, 2000

Mr. Sprau commented that he would like more information about the parking; surrounding zoning; the three party agreement; and the parcel to which the trailer area will be applicable. Also, the plan does not identify the items to be stored in the trailer.

Ms. Deaux asked whether this is a semi-trailer. Mr. Mais explained that it is, and the issue arose because the trailer has been fenced in and is being used as an accessory structure. An enforcement issue arose, and the applicant has requested the site plan amendment to correct the violation. Mr. Lewis asked whether the trailer requires a site plan amendment. Attorney Thomsen said that under the circumstances, the applicant has impliedly agreed to that, and so it is no longer an issue. Mr. Sprau noted that the trailer is being used for storage, not simply being parked on the premises.

Members agreed that no required setbacks would be violated by the amendment. The standards of the ordinance were reviewed. The plan should show that the parking area is surfaced with bituminous paving; striping for the parking area and vehicular circulation should be shown; and the specific materials being stored should be shown so that the Fire Chief can address any fire hazard issues that may exist. There were no comments from the public.

Thereupon, Mr. Sprau **moved** to approve the amendment to the site plan on conditions, as follows:

- a) the plan must show the materials to be stored in the trailer;
- b) the surfacing, parking place striping, and vehicular circulation in the area of the trailer must be shown;
- c) there must be approval of the storage by the Fire Chief; and
- d) the fence height must be shown on the plan.

Upon submission of a corrected plan, if the Zoning Administrator and Building Official find that it conforms to these conditions, the approval will be effective without further review by the Zoning Board. Mr. Hamming **supported** the motion, and it **carried**.

### 9. Pretty Lake Vacation Camp

**Item No. 00-108**

**Name: Joseph Hartel**

**Address: 9123 West "Q" Avenue**

**Request: Site Plan amendment for a 20' x 40' slab on grade building**

Joseph Hartel appeared for this hearing. He explained that the camp wishes to construct a new accessory building, 20' by 40' in size, for seasonal use as a nature programming building. It will be a screened building on 3 sides, located on the outskirts of the camp area as shown on the plan.

In response to a question, Mr. Hartel said that there would be aquariums in the building and turtles and frogs and similar animals. The children will have the opportunity to observe the wildlife there. Water will be provided by a 2" water line. They are in the process of getting health department approval for a pump and haul system for wastewater at the new building. There will be one sink for cold water only, and no bathroom facilities. There will be 100-amp electric service. Emergency access will be by way of the paths and the Fire Chief has worked with the Camp in the past to evaluate the system for emergency access. The Building Inspector is requiring Frost footings.

Mr. Lewis commented upon the differences between the large map that was submitted and the smaller drawing labeled Insert A. He would prefer that they be the same. Mr. Hartel said that the

## **ZONING BOARD MINUTES OF MEETING HELD MARCH 28, 2000**

Camp is working on a redrawing that is complete and accurate, and they hope that this will be the last time they submit the sorts of drawings that are before the Zoning Board tonight.

Chairman Bosch asked for public comment. There was none, and the public hearing was closed.

During discussion, it was decided that utilities should be shown on the plan along with the holding tank for wastewater. Approval by the Health Department is also required. Mr. Sprau commented that this is an addition to an approved special exception use.

Thereupon, Mr. Sprau made a **motion** to approve the amendment to the site plan on the condition that the plan must be revised to show the utilities and the wastewater holding tank, and approval of the holding tank by the Health Department. Upon submittal and approval of the revisions by the Zoning Administrator, no further consideration by the Zoning Board will be required. Ms. Deaux supported the motion, and it **carried**.

### **10. Miscellaneous**

There was no new information about the Groundwater Protection ordinance. Mr. Mais asked about the PUD revisions that will be considered at the April meeting, and there was brief discussion of the concepts of cluster development and PUD's in the Agriculture zoning district. Attorney Thomsen noted that the Township does not have authority to prohibit platting in any zoning district, and that owners always have the alternative of land divisions even if they choose not to plat. The courts have disapproved zoning ordinances in some cases where the minimum lot size is 5 acres. It is important to remember that conditions and standards imposed by the Township must be related to a legitimate governmental interest, and cannot "go too far."

Members of the Zoning Board indicated their general support for the concept of PUD's in the Ag district, and their opposition to a required open space of 40%. Mark Boven said he doesn't think 40% open space is that bad. Ron Verleger asked what area is required per dwelling in a PUD. Mr. Bosch explained that the area is dependent upon the zoning of the parcel.

There was some discussion about requiring public sanitary sewer in all plats. Attorney Thomsen said that the Township investigated that with the Health Department, and it is not an option under current laws. More controls can be imposed on PUD's than on plats.

### **11. Citizens' Comments**

Tom Rogers said that he likes the Oshtemo Township PUD that allows bonuses after 25% open space is provided.

There were no other comments, and the meeting was adjourned at about 8:20 p.m.

Respectfully submitted,

Bryan Lewis, Secretary

Date minutes prepared: March 30, 2000

Date minutes approved: