

Markey Township Planning Commission
Minutes
FEBRUARY 7TH 2024

Pledge of Allegiance was recited.

Members present: Gardner, Duquette, Fullmer, Darga and Bendily, Ciaramitaro and Everett.

Motion made by Bendily, supported by Fullmer to approve the agenda. All ayes; motion carried.

Motion by Bendily, supported by Duquette to approve the minutes of the January 4th 2023 meeting with corrections. All ayes; motion carried.

This meeting was scheduled to meet with our attorney Kyle O'Merra and Wayne Beyea.

Mr. O'Merra started out by telling us our ordinance 35 is similar to many other townships. It is older and in need of updates to ensure that we are in compliance with current state statues and legislation.

It should be simple for the residents to read and understand.

A Zoning Ordinance regulates the "use of land", to promote public health, safety and welfare. The authority to do so comes from the Michigan Zoning Enabling Act.

A Police Power Ordinance regulates the "activity" on the land.

Areas Mr. O'Merra would recommend addressing to simplify our ordinance include:

1. Definitions-if a specific item is not listed in the definitions than the general rule is that the definition is what you would find if you looked the word up in a dictionary.
2. Simplify the lay out and origination.
3. Split the categories into zoning district to regulate land uses.

4. Chapter 17 - governs Special Land Uses that may require a public hearing.
5. C2 - allows for business to cluster together.
6. Chapter 16, Site Plan which is a map of the property, layout of the parcel. To ensure that setbacks and adequate parking are planned for. It deals with "land use" not construction of the building.
7. Administration – is allowed to manage day-to-day inquiries from the public.

Legal aspects need to be reviewed. Two examples of presented were:

1. Gravel pit regulations need to be updated, if the zoning ordinance does not regulate them the owner may go to the State of Michigan.
2. Sign regulations can not be based on the content of the sign. Must be content neutral.

We need to make the ordinance simple for residents to understand.

Make it a PDF file so that it is searchable by a word.

Fix the inconsistencies.

When asked by Kyle what the Planning Commission and Zoning Administrator would like to see changed

1. ADU's (Accessory Dwelling Units). These are small dwelling units on the same grounds as, or attached to, a single-family house. For example, it could be an apartment over a garage, a basement apartment, or a stand-alone house in a backyard. An ADU can be used to house a family member or for additional income through rent.
2. Barndominiums. The current ordinance does not allow for a pole barn to be constructed before a residence.

3. Pole Barns on vacant land for storage of personal recreational items. Make it a Special Use so it would require a minimum lot size.
4. Regulations for Mobile Home Parks. Currently North Shore Trailer Park is a designated MHP. There are trailers and homes at the Mounds and in our current ordinance if a trailer is removed it should not be replaced.
5. Set back issues on nonconforming lots in R2. There are many smaller lots that make it difficult to meet set back requirements.
6. There are parcels that have 2 different zones on the same parcel (split zoning), very confusing. Need to look at these as they must to ZBA.
7. Set backs as written are inconsistent. Some are from the roadway; some are from the lot line.
8. Water mitigation issues due to concrete across the entire lot. Possibly regulating driveway to require setbacks from lot lines.
9. We need better charts. Include the setback regulations. Simplify.
10. Camping regulations.

Kyle suggested that we may want to be “reactionary”. If we see things are happening in the township; we can shape our behavior to what is happening.

He will design a FAQ section within the ordinance. For example: I would like to build a mother-in-law suite, what do I need to do. This area will tell them step by step what they need to do.

When we receive his draft of the rewrite, we will review it. Make any changes we request, hold a public hearing, present it to the Township Board for their approval, and the Township Board will hold a public hearing on it. When everything is approved this will be a complete repeal of the existing ordinance and replace it with the new one.

Motion by Duquette, supported by Fullmer to adjourn.