

CAMBRIDGE TOWNSHIP PLANNING COMMISSION

WEDNESDAY, Oct. 31, 2012

Ken Gidner called the regular meeting to order at 7:00 pm. In attendance were Tom VanWagner, Kevin O'Mara, Ken Gidner, Doug Lake, Tanya Riley VanWagner, Mike Albain, Ed Plentz and Bob Matejewski. Ken reported that Theresa Friess emailed and said she would not be able to attend as her granddaughter was visiting from Columbus; she had attached a photo to the email. Ken shared the picture of her granddaughter with the group.

Motion was made by Mike Albain to accept the secretary's report as written for Sept. 26, 2012. Doug Lake supported the motion. Tanya Riley VanWagner mentioned that the minutes in front of them have been corrected to match the set of minutes emailed to the commissioners. Yes – 8, No – 0. Motion carried.

Ken Gidner called for any Other Business to bring before the commission. No mention of any.

Old Business: Chairman, Ken Gidner brought up our "Mixed Use" discussion. He reminded the commission of our request that our attorney, Phill Schaedler submit a definition of Secondary Dwelling to all so we could review it before this meeting. We had received a mailed copy of an email with Phill's suggested definition. Ken Gidner mentioned that Phill Schaedler also mentioned in his email, that he recommended that the uses be added as a "conditional use" instead of permitted. Since the commission had discussed "conditional use" as an option for several months, they decided to continue with their decision to add as "permitted use". Rick Richardson asked if we had been mailed the correct and final definition from Phill. Upon review it was decided that we did not have the corrected version.

Rick Richardson then searched the office and made copies of the corrected definition submitted from Phill Schaedler. The commission then took time to read and review the revised wording in the second draft of the submitted definition.

"Secondary Dwelling: An independent, self-contained dwelling unit(s) having separate direct access incidental and subordinate to and located within a commercial building or a separate residential dwelling incidental and subordinate to and located on the same lot as a commercial enterprise. "

Commission discussed and agreed that this definition meets our request and intent.

Ken Gidner asked if we were going to call for a motion to be made. Doug Lake made a motion to accept the newest distributed wording for the definition of Secondary Dwelling, and to add number 8, under Permitted Uses in C1, and C4 (which will also include C2 and C3 because of our ordinance wording.) Bob Matejewski seconded the motion. Ken Gidner called for any further comments. None brought forth. Vote, Yes – 8, No – 0. Motion carried.

Ken Gidner called for any other Old Business and asked if Ed Plentz would like to bring up the Fence Ordinance issue.

Ed Plentz said he could send the commissioners information he has gathered which shows that the Fence Ordinance wording was changed from our original recommendations. These changes are also making it difficult for the Zoning Officer to figure out. Since the commissioners took a full year to agree to the intent and wording of the Fence Ordinance, Ed felt that we need to check and see if we need to review it and begin the process to revise it back to our original intent. We are not sure

when the changes were made, since we didn't see the changes the Township Board made after the Region II recommendations.

Rick Richardson said he would research and see what changes were made and when and would pull the wording used as published in the exponent.

Ken Gidner called for any other Old Business. Mike Albain started the conversation on the garage being left standing after a house has been knocked down. He said that he wants to solve this problem.

Ed Plentz explained what the difference is between a Use Variance and an Area Variance. The Board of Review is not allowed to act upon Use Variances.

Doug Lake tried to clarify what the Planning Commission's part would be in trying to resolve the issue. He mentioned that we do not have the proper wording in our ordinance to explain that an Area Variance is what would be needed. Maybe we need to have a discussion on correcting our ordinance.

Ed Plentz mentioned that the people in discussion have done nothing wrong.

Rich Richardson brought up that Townships are no longer allowed to issue Use Variances since the Michigan Zoning Enabling Act of 2006. We need to decide what our intent is or are we addressing just the issue at hand. Discussion followed on several different instances that also were in violation of our ordinance.

Mike Albain said that this issue seems to be dead in the water. Commission disagreed and discussion continued.

Ed Plentz mentioned that the forms given to people already state that the Board of Appeals can only grant an Area Variance, not a Use Variance. Also, if the Zoning Officer said they are in violation, the Board of Appeals can only agree or disagree with the Zoning Officer's ruling. Then if the Board of Appeals disagreed with the Zoning Officer's ruling they can take it to court.

Zoning Officer, Ron Dzierzawski mentioned that concerning sheds on property when a house is destroyed, they are usually on small lots and lake front and he doesn't act on it unless they haven't rebuilt in a while. Then he stops by and mentions it.

Ken Gidner asked if any more Old Business. None mentioned.

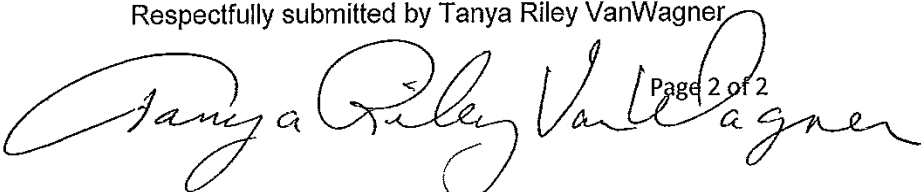
Ken Gidner asked for any New Business. After nothing brought up, he asked Tom VanWagner if he has drafted the Thank You letter we want to send to Tim Anderson.

Tom VanWagner mentioned that he has already drafted the letter but has not sent it to Tanya Riley VanWagner to be reviewed. He will send out tomorrow and have her forward it on to Ken Gidner for signature and approval.

Rick Richardson reminded the Commissioners that the Region II annual meeting is coming up. He needs our confirmation to make the reservations. He asked those attending to meet in the parking lot between 5:15 and 5:30 on Nov. 8th so we can car pool to the meeting.

Mike Albain made a motion to adjourn the meeting. Tanya Riley VanWagner seconded the motion. Yes – 8, No – 0. Motion carried. The meeting adjourned at 7:52 p.m.

Respectfully submitted by Tanya Riley VanWagner

A handwritten signature in cursive script that reads "Tanya Riley VanWagner". The signature is written in black ink and is positioned below the typed name. The text "Page 2 of 2" is printed in a small font over the signature.