

WEST TRAVERSE TOWNSHIP
REGULAR PLANNING COMMISSION
WEDNESDAY, JUNE 14, 2023

Chairperson Mooradian called the meeting to order at 7:01 PM.

Roll Call: Green, Hollerith, Uutinen, Moore, Wallin, Mooradian

Absent: Osetek

Visitors: Ken Lane, Annie Mooradian, Cynthia Shafer, Ed & Karen Bezilla, Glenn Remus, Joy & Rich Labadie, Debra & Mitch Howell, Teresa Chaffee, Sandra Gay, Donald Para. Jackie (?)

The Pledge of Allegiance was recited by all.

Approve Agenda as presented or with additions: **Wallin makes a motion to approve the Agenda as presented. Uutinen seconds the motion. All yes.**

Public Comments: One attendee was there to inquire whether the Township had any ordinance control over the short-term rentals and the properties bought as investment properties. She suggested the Township may want to consider putting something in place. The remaining attendees were there to ask questions about the Birchwood Inn and what the intent is for that property with all the renovation taking place. There were several who had concerns about noise and use of the property. Lane responded they are currently within their rights to do what they are doing, which is renovation only. They have stayed within their “footprint” and are only updating what is there.

Approval of May 10, 2023 Regular Meeting Minutes: On page 5, Moore asked that the words “self-approved” be struck. Page 7, Mooradian asked that the word “yes” be added to indicate the vote by Osetek. **Uutinen makes a motion to approve with corrections. Green seconds the motion. All yes.**

Unfinished Business: Continued discussion took place with the work list items; the following Ordinance Amendments being proposed.

- i. Fences – Height of fences under consideration was discussed and explained by Lane. He also explained the differences that could occur in the Waterfront Overlay District. The question arose about temporary fences. For height purposes, they are treated as a permanent fence or wall. It was determined that the fence height should be limited to four (4) feet front, side and back in the Waterfront District. Other Districts would be four (4) feet in the front and six (6) feet on the side and in the back. Lane also recommends eliminating the survey requirement as it is the responsibility of the property owner to establish the lot lines.
- ii. Food Trucks – There was further discussion on the Food Trucks and Food Truck Parks.
- iii. Conditional Rezoning – ***You can’t use Conditional Rezoning to allow a Use.***
We are not ready to adopt anything – just needs to be explored.

The Commissioners decided they need to spend some time working on the Accessory Dwelling Units (ADUs) and Private Roadways. Moore brought up the programming for Coastline Resiliency. Hollerith brought up the expansion of the R-2 District. Mooradian cautioned about trying to work on too many amendments at one time.

New Business:

- a. Mooradian opens the Public Hearing at 8:04 PM for Case #04-2023: to consider a request for rezoning from R-1-A Single Family Residential to S-1 Public for parcel #s 16-15-15-100-007, 16-15-10-300-016 and 16-15-10-300-033, all Township owned property.

One member of the “public” wanted clarification of the new uses of the Township property if re-zoned to S-1. The Public Hearing was closed at 8:14 PM.

The PC began its deliberation in the request to rezone parcel #s 16-15-15-100-007, 16-15-10-300-016 and 16-15-10-300-033 from R-1-A Single Family Residential to S-1 Public. This is the West Traverse Township Hall property, 8001 S. Lake Shore Dr. and the property across Lake Road from West Traverse Township Hall owned by the Township and used for public parking and tile field for Pine Tree Trail and Forest Beach (transcriber added for clarification of the use of the property).

The R-1-A zoning designation makes the Township’s long-standing use of these properties nonconforming. This will eliminate the non-conformities and allow for the building of a new Township Hall in the future.

Wallin wondered why the lots for the barns were not included in the rezoning. Green wondered why it hadn’t been rezoned sooner. Though the rezoning of the Township owned property has been brought up over the years, there was never a real need to get it done. The current Township Hall is aging and not well. In the not-too-distant future the Hall will need to be replaced and the rezoning of the property will need to be addressed. Yes, the lots that the barns occupy should have been included in this rezoning but Lane felt that the parcels with the non-conformities should be addressed first. Since we are this far along in the process, Lane suggests finishing this portion of the property rezoning and come back to the Board with the remaining two parcels.

The Planning Commission considered the following standards and made the following findings:

West Traverse Township Zoning Ordinance, Section 1002:6, Rezoning Standards.
The Planning Commission shall review and apply the following standards and factors in the consideration of any rezoning request.

- A. Are all of the allowable uses in the proposed district reasonably consistent with surrounding uses?

Planning Commission Finding: Satisfied. The S-1 Zoning District can serve as a transitional district between single family and two-family residential districts. The uses

permitted in the S-1 District are public and institutional in nature and are compatible with surrounding residential uses.

B. Will there be an adverse physical impact on surrounding properties?

Planning Commission Finding: Satisfied. The subject parcels have been used as the Township Hall and supporting public parking areas for many years without adverse physical impacts on surrounding properties. No objections to the proposed rezoning have been received from surrounding property owners.

C. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

Planning Commission Finding: Satisfied. Not recently. However, the Township's historic use of the subject parcels is nonconforming with the present zoning designation. If approved, rezoning to S-1 will eliminate this nonconforming use.

D. Will rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations?

Planning Commission Finding: Satisfied. The subject parcels have been used as the Township Hall and supporting public parking areas for many years without deterrent to the development of surrounding properties in accordance with R-1-A District requirements.

E. Will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area or the general public (i.e. will rezoning result in spot zoning)?

Planning Commission Finding: Satisfied. The rezoning will not grant a special privilege and the S-1 zoning designation will provide a complementary zoning designation between residential districts. Additionally, the Township's established use of the subject parcels is nonconforming. If approved, rezoning to S-1 will eliminate this nonconforming use.

F. What is the impact on the ability of the Township and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?

Planning Commission Finding: Satisfied. There will be no impact--adequate public services and facilities currently exist.

G. Is the rezoning consistent with the goals and objectives of the Master Plan?

Planning Commission Finding: Satisfied. The Master Plan designates these properties as "Institutional" under its future land use recommendations. The Institutional category

is designated to accommodate existing public and institutional uses including Township owned properties.

Additionally, encouraging the use of these properties for a “future Township Hall” and recreational area is one of the goals and objectives of the Master Plan. Rezoning these properties to S-1 will make the achievement of this goal possible.

H. Were there errors in the original zoning of the property?

Planning Commission Finding: Satisfied. The zoning designation of these properties is in opposition to the actual long-standing use of the property by the Township, thereby creating a nonconformity. Rezoning to S-1 will eliminate the nonconformity and correct the error.

Hollerith made the following motion: **Based on the information in the June 7, 2023 memo from the Township Planning and Zoning Administrator, and due to the Findings of Fact as stated therein, I move to recommend approval to the Township Board of Trustees the rezoning of the properties at 8001 M-119 (South Lake Shore Drive), and along Lake Road near the intersection with M-119 (South Lake Shore Drive), specifically being Tax ID#16-15-15-100-007, Tax ID#16-15-10-300-016, and Tax ID#16-15-10-300-033, from R-1-A to S-1, because the applicable standards of the West Traverse Township Zoning Ordinance have been met. Uutinen seconded the motion.**

Roll Call: Hollerith-yes, Green-yes, Uutinen-yes, Moore-yes, Wallin-yes, Mooradian-yes, Osetek-absent.

Other

- a. Zoning Administrator Report – ZA had submitted his report. Updates were given concerning Harbor Point and Pond Hill.
- b. Township Board Representative Report –
- c. Correspondence –

Planning Commissioner Comments (open discussion) – Mooradian brought up the Planning News – important issues included in the article.

Public Comments:

Next Meeting: Planning Commission Regular Meeting, July 12, 2023 at 7:00 PM

Adjournment: **Wallin makes a motion to adjourn at 8:38 PM.**

Respectfully Submitted by:

Dawson Moore, Secretary Transcribed by: Cindy J. Baiardi

Proposed: June 14, 2023

Approved: July 12, 2023