

LEXINGTON TOWNSHIP
7227 Huron Avenue, Lexington, MI 48450
Planning Commission Minutes
Regular Meeting-June 18, 2008

Call to Order: By Vice Chairman Ziegler at 7:12

Pledge of Allegiance: Commission and Audience

Roll Call: By Secretary Huepenbecker

Kredell, Chairman-Absent	Kozfkay- Present
Ziegler-Present	Watson- Present
Huepenbecker, Secretary-Present	Wilson-Present (late)
Stoyanoff-Present	

6 Members Present

Approval of Minutes:

Motion: By Huepenbecker for regular meeting May 21, 2008

Support: Watson

Vote: All Ayes No Nays **Motion passed 6-0**

Approval of Agenda: June 18, 2008

Motion: By Kozfkay for regular meeting June 18, 2008

Support: Huepenbecker

Vote: All Ayes No Nays **Motion passed 6-0**

Correspondence: None

Z.A. Report: There were 8 new permits issued in the month of May. Additionally a report of building without a shed was investigated. It was found to be a structure not requiring one. The master plan rough draft needs the Planning Commission's approval to send to the Board. I've also included a copy of the "to do" checklist from the new zoning enabling act class Mike, Jane, and I attended. As you can see there's quite a bit of work to do. Some of the areas are not as time sensitive as others. We need to work on this on an ongoing basis. He stated he has started to look at this and will report back as we find things to do. He asked that the Planning Commission members to look through the literature so we can keep up on this. Huepenbecker agreed that the continuing education class she attended was informative and she would lend her literature to interested parties. Kozfkay wondered what the 8 permits issued were? VanderGraaff stated 2 or 3 new houses and some pole barns and small stuff. Ziegler asked what the other structure not needing a permit was and VanderGraaff stated a jungle gym.

Public Comment: None

Unfinished Business:

1. Recycling in the Township-Presentation by Gary Varisto

Discussion

VanderGraaff stated that regarding recycling in the township he has spoken with the Township Supervisor and he stated that this is outside the Commission's purview. He also reiterated that the township not having a single waste pickup provider would make it difficult to negotiate a recycle pickup. VanderGraaff said perhaps it could be brought to the Board or a private citizen group might be formed. Ziegler stated a lot of people have other arrangements as well. Ziegler stated there is a drop off box in Crosswell on Mills. Commission agreed to not act upon it.

2. Lakefront fences

Discussion

VanderGraaff explained that under the current ordinance some homes that front both Lake Huron & M-25 can erect up to an 8' high closed fence on the M-25 side. This is allowed because under the definition of frontage for lake front & M-25 on page 97; homes that are closer to the east half of the lot, the lake sides are considered the front and the M-25 the rear. Our fence ordinance on page 68 letter D reads; any rear lot line fence may be up to 8' high and enclosed. In effect this means that any lakefront home on M-25 that's closer to the lake than the M-25, which is the majority, can erect an 8' high closed fence. I have inquired with several townships and Dave Scurdo and there are usually restrictions of some sort from blocking the view entirely. Kozfkay asked if the change to have double frontage for lakefronts in our package was an example fix. VanderGraaff said it was just a sample of possibilities. The Commission asked what the current height restrictions are for Lake Huron Properties on the sides and front and rear. Wilson asked about restrictions on how far side lots can extend and be as far as height. The Commission discussed on how the lake side fences can only be 4 feet and open construction including the sides. This would mean the 6 foot side would not be allowed pass the front of the house. The ZA explained that front yard starts at the point closest to the road or drive access. Wilson pointed out if we made double front yards then people wouldn't be able to have 6 foot side fences. The Commission consensus was that these homes should be able to have side closed 6 foot fences if they wanted so we should change only the M-25 parallel fence height and leave the yard determination alone. The ZA agreed with this. Watson brought up that most of those panels people buy are 6 feet tall. Kozfkay wanted it clarified that we were not saying all fencing on people on the lake can only be 4 feet. Wilson stated we are only changing the most westerly portion facing the highway can no longer be 8 feet but no higher than 4 feet with open construction. Watson pointed out that 6 feet would match better and keep animals from getting out. Ziegler wondered if we can change letter A for everyone but most people would put the fence in back for animals. The ZA stated that he didn't think it was desirable to have 6 foot fences in the front yard township wide. Most of the ordinances he read researching this limited front yards to 4 feet. The commission consensus was agreement. Wilson stated the amendment should be under 3.14 Fences, amending E. ZA

agreed. Kozfkay said he would not support fences out to the lake of this height and Wilson stated this was M-25 side only the westerly portion.

Motion: By Wilson to amend Section 3.14.02 Letter E in addition to existing text to read: No fence may be constructed in excess of 6 feet in height as it runs parallel to M-25 and be of open construction, the motion concerns only that portion of the fence on the westerly most portion of the property.

Support: Huepenbecker

Vote: All Ayes No Nays

Motion passed 6-0

3. Digital signs & billboards

Discussion

VanderGraaff stated that With regards to digital signs and billboards the Commission needs to tell me what they want to happen i.e. allow and then I can research accordingly. He stated that the sign company that did Lakeview Hills and they don't measure their luminescence differently than what we were looking for and after reading other township's ordinances on this that if we want a complicated ordinance to allow some then we need to get some professional help. If we just want to ban those sorts of signs we could probably do that ourselves. Ziegler said he would like to ban them and he has had complaints on the flashing motion. He said the flashing is really a problem. Huepenbecker stated that some of the flashing has been known to cause epilepsy. VanderGraaff referenced the Ann Arbor and Fort Gratiot ordinances to use as a possible reference for our ordinance. Ziegler asked if our ordinance already covers it? VanderGraaff stated it was too ambiguous and doesn't reference billboards at all. Wilson asked what it was that Lakeview Hills proposed permit. He stated that it wasn't supposed to be flashing, just a digital sign. We can't grant them permission to violate our ordinance. Ziegler stated that the high school sign sometimes does the same flashing. Wilson stated and the commission agreed that we need to send notice to Lakeview Hills to notify them that their digital signs are not allowed to flash. Huepenbecker said that we also should send a letter to the high school. The commission discussed and agreed that the digital billboards as well as digital signs ordinances need to be addressed.

Motion: By Wilson to amend 3.20.06 Letter G. to read: Any sign or billboard using motion, flashing, digital lighting and/or illumination of the message or any part of the sign structure itself, including all electronically changeable signs and/or billboards are prohibited.

Support: Huepenbecker

Vote: All Ayes No Nays

Motion passed 6-0

New Business:

1. Master plan changes

Discussion

VanderGraaff stated that we need to address any changes the Commission would like to make in this rough draft of the Master Plan so we can get it back to the Planner or if there are none so we can pass it on to the Board to approve dissemination to the outlying municipalities. The commission discussed the need to move along in a timely fashion. It was acknowledged that the township attorney is going to look over the draft as well as the board before giving approval to send it to the outlying municipalities. The commission asked how the new zoning enabling act is going to affect our Master Plan. VanderGraaff stated that Scurto has said that we are all set with regards to the new act but that he would have the township attorney address that as well.

Motion: By Watson to approve rough draft of Master Plan and send it to Board for approval

Support: Stoyanoff

Vote: All Ayes No Nays

Motion passed 6-0

Public Comment:

Adjournment:

Motion: By Huepenbecker to adjourn regular meeting June 18, 2008

Support: Kozfkay

Vote: All Ayes No Nays

Motion passed 6-0

Meeting adjourned at 8:42 pm.

Submitted by recording secretary _____ on July 16, 2008
Michael VanderGraaff