

**LEXINGTON TOWNSHIP**  
**7227 Huron Avenue, Lexington, MI 48450**  
**Planning Commission Minutes**  
Regular Meeting-April 15th, 2009  
7:00 PM

**Call to Order:** By Chairman Laughlin @ 7:05PM

**Pledge of Allegiance:** Commission

**Roll Call:**

By Laughlin

Stoyanoff-Present	Kozfkay- Present	
Ziegler-excused	Watson- Present	
Huepenbecker, Secretary-present	Wilson-Present	Laughlin-Present

**Approval of Minutes:**

Regular Meeting:

**Motion:** By Kozfkay to accept minutes of regular meeting 03/18/2009 as presented

**Support:** Ziegler

**Vote:** All Ayes No Nays

**Motion passed 7-0**

**Approval of Agenda: 04/15/2009**

**Motion:** By Ziegler to add new business items: #2 Public Hearing & #3 Accessory buildings amendment and approve agenda as amended

**Support:** Huepenbecker

**Vote:** All Ayes No Nays

**Motion passed 7-0**

**Correspondence:** None

**Z.A. Report:** Permit seem to be picking up with several new home permit interests and a few pole barns

**Public Comment:** None

**Unfinished Business:**

1. Keeping of Animals

**Motion:** By Ziegler to postpone until next meeting

**Support:** Kozfkay

**Vote:** All Ayes No Nays

**Motion passed 7-0**

2. Master Plan Strategy

## New Business:

### 1. Public Notice Amendments

**Motion:** By Huepenbecker to approve amendments as presented:

## **SECTION 22.2.0 Amendment Procedure; Public Hearing/Notices**

.01 Public Notification: All applications for development approval requiring a public hearing shall comply with the Michigan Zoning Enabling Act, PA 110 of 2006, as amended, and the other provisions of this Section with regard to public notification.

- A. *Responsibility: When the provisions of this Ordinance or the Michigan Zoning Enabling Act require that notice be published, the Planning Commission recording secretary shall be responsible for preparing the content of the notice, having it published in a newspaper of general circulation in the Township of Lexington and mailed or delivered as provided in this Section.*
- B. Content: All mail, personal and newspaper notices for public hearings shall:
1. Describe nature of the request: Identify whether the request is for a rezoning, text amendment, special land use, planned unit development, variance, appeal, ordinance interpretation or other purpose.
  2. Location: Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the subject property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used *such as a tax parcel identification number, identifying the nearest cross street, or including a map showing the location of the property*. No street addresses must be listed when eleven (11) or more adjacent properties are proposed for rezoning, or when the request is for an ordinance interpretation not involving a specific property.
  3. When and where the request will be considered: Indicate the date, time and place of the public hearing(s).
  4. Written comments: Include a statement describing when and where written comments will be received concerning the request. *Include a statement that the public may appear at the public hearing in person or by counsel.*
  5. *Handicap access: Information concerning how handicap access will be accommodated if the meeting facility is not handicap accessible.*
- C. Personal and Mailed Notice
1. General: When the provisions of this Ordinance or state law require that personal or mailed notice be provided, notice shall be provided to:
    - a. The owners of property for which approval is being considered, *and the applicant, if different than the owner(s) of the property.*
    - b. Except for rezoning requests involving eleven (11) or more adjacent properties or an ordinance interpretation request that does not involve a specific property; to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property subject to the request and one

occupant of all structures within three hundred (300) feet of the boundary of the property subject to the request, regardless of whether the property or occupant is located within the boundaries of the Township of Lexington. If the name of the occupant is not known, the term "occupant" may be used in making notification. Notification need not be given to more than one (1) occupant of a structure, except that if a structure contains more than one (1) dwelling unit or spatial area owned or leased by different individuals, partnerships, businesses, or organizations, one (1) occupant of each unit or spatial area shall receive notice. In the case of a single structure containing more than four (4) dwelling units or other distinct spatial areas owned or leased by different individuals, partnerships, businesses or organizations, notice may be given to the manager or owner of the structure who shall be requested to post the notice at the primary entrance to the structure.

2. Notice by mail/affidavit: Notice shall be deemed mailed by its deposit during normal business hours for delivery with the United States postal service or other public or private delivery service. *The Planning Commission recording secretary shall prepare a list of property owners and registrants to whom notice was mailed, as well as of anyone to whom personal notice was delivered.*

D. Timing of Notice: Unless otherwise provided in the Michigan Zoning Enabling Act, PA 110 of 2006, or this Ordinance where applicable, notice of a public hearing shall be provided as follows:

1. For a public hearing on an application for a rezoning, text amendment, special land use, planned unit development, variance, appeal, or ordinance interpretation: not less than fifteen (15) days before the date the application will be considered for approval.

## **Section 19.4.0 — Application and Hearing Procedures**

### **.01 FILING OF APPEAL**

- A. An appeal shall be filed by any person or firm aggrieved with the Zoning Administrator on a form provided for that purpose.
- B. A fee, the amount of which shall be set by the Township Board from time to time, shall be paid at the time of filing the Appeal.
- C. The filing of an appeal stay all proceedings in furtherance of the action appealed, unless a stay would create imminent peril to life or property.

### **.02 PUBLIC HEARINGS**

- A. The Secretary of the Zoning Board of Appeals shall fix a reasonable time and date for the public hearing, not to exceed forty-five (45) days from the date of filing with the Zoning Administrator.

B. Public notices shall follow procedures established in Section 22.2.01

- .03 The Zoning Administrator shall provide the ZBA copies of all papers constituting the record upon which the action appealed was taken.
- .04 The applicant or his agent shall appear at the public hearing in order for the application to receive consideration. If an applicant or his agent does not appear at the public hearing, the ZBA may table the application to a date certain or deny in whole the application.

**Support:** Watson

**Vote:** All Ayes No Nays

**Motion passed 7-0**

**2. Public Hearing**

**Motion:** By Kozfkay to hold public hearing on amendment to zoning ordinance on May 20<sup>th</sup> at 7:00pm

**Support:** Huepenbecker

**Vote:** All Ayes No Nays

**Motion passed 7-0**

**3. Accessory Building Amendment**

Discussion: ZA to find previous work on this amendment

**Public Comment:** None

**Adjournment:**

**Meeting adjourned by chair at 8:30PM**

Submitted by recording secretary \_\_\_\_\_ 04/15/2009  
Michael VanderGraaff