TORCH LAKE TOWNSHIP

ANTRIM COUNTY, MICHIGAN

APPROVED Planning Commission Meeting Minutes AS PREPARED 4-0

March 10, 2016

Community Service Building

Torch Lake Township

Present: Goossen, Kulka, Walworth, Jorgensen, Schoenherr

Absent: King, Bretz

Others: Olsen, Vey, Grobbel

Audience: Martel

1. **Open Public Hearing – Regarding Proposed Amendments to Chapter II, Section 2.16.B and Chapter XIX, Section 19.02.B. Pertaining to Decks and Structures in Front and Rear Set Back Areas:**

Public Hearing opened at 7:33.

Two letters read into record:

a. Letter from Robert Spencer. Concern about using “setback” versus “front yard”.

b. Letter from Pat Keelan citing concerns about clarity of Chapter II, B.3. Also B.31 – can owner build two decks?

No public comment.

Public hearing closed at 7:41.

2. Meeting was called to order at 7:41 p.m.

3. **Consideration of Agenda**:

Martel email said there was a motion by Torch Lake Township Board for special uses in R-1.

Add preliminary discussion to Agenda as item #8 Special Uses in R-1, R-2, and R-3 Zones. Item #9 will be Discussion of Future Agenda Items, remainder renumbered.

No objections to addition.

4. **Correspondence, Meetings, Training, Announcements, etc.:**

Planning and Zoning News distributed.

5. **Approval of Minutes, February 9, 2016 Meeting:**

Email from Bob Spencer suggested in Item #7 to look in to Antrim County’s permitting rules for structures within 500 feet of water. Modify minutes to cite that no building permit is required to build in setback, rather need Soil Erosion Sedimentation Control Permit per Part 91 from Antrim County SESC office. PC also discussed when application is submitted, Township will make determination of structure. February 9 minutes approved as amended, passed 5-0.

6. **Concerns of the Public other than Agenda Items:**

Martel said that Annual Meeting of the Township is Saturday, March 19 at 9:00 a.m. Also, the Fire Department chili cook-off is scheduled for the same day at 4:00 p.m.

7. **Discussion and Possible Action on Proposed Amendments Pertaining to Decks and Other Structures in the Front and Rear Setback Areas:**

Reference *Version 5: Decks and Walkways in Setbacks, Chapter II, Section 2.16.B – Front, Side and Rear Lot Line Setback Area Uses*, dated February 26, 2016.

Grobbel said that property owner cannot obstruct setback area uses with exceptions as follows:

1. Fences shall be allowed in all lot line setback areas.

No concerns from PC.

1. Unenclosed and uncovered porches, decks and walkways shall be allowed in the front or rear lot line setback, but not to extend into the side yard setback area. They shall also not infringe upon ~~the thirty five (35) foot setback from the road~~ a road right of way.

PC suggested eliminating the 35 foot setback requirement.

1. Stairs and walkways in the front or rear lot line setback area shall have a maximum width of 48 inches. Landings which are part of walkways or stairways shall not exceed 64 square feet. Any porch or deck in the front or rear lot line setback area shall conform to the following provisions:

PC made following changes to provisions:

* + 1. Maximum area of 324 total square feet ~~per~~ of ~~deck~~ decking per setback.
    2. ~~Maximum height of 18 inches, as measured from the side of the deck facing the interior of the lot, and from the finished deck surface, to the average distance along that side, to ground~~.

The porch or deck shall not exceed an average of 18 inches in height as measured from the finished surface to the ground at the corners of the porch or deck facing the interior of the lot.

* + 1. So as not to impact the dark night sky, stairways ~~associated with decks~~ and ~~elevated~~ walkways, may be illuminated by shielded and downward-directed tread lighting only.

*Section 19.02.B*

Eliminate “ground level”. Use word “structures” versus “buildings”. Vey said that decks and accessory buildings under 200 square feet do not require a permit.

Grobbel will make changes as indicated and bring a clean copy to April meeting.

1. **Discussion of Special Uses in R-1, R-2 and R-3 Zones:**

Martel said that Board has asked the question regarding special uses in R-1 and mentioned the proposed DNR road-end boat launch.

Vey suggested an overlay district along water frontage. Grobbel said overlays are generally used for additional requirements unique to the area, not to void the underlying requirements.

9. **Discussion of Future Agenda Items:**

Walworth said the special uses for residential areas will be put on the April agenda and members should review the existing uses for appropriateness.

10. **Concerns of the Public:**

None.

11. **Concerns of the Planning Commission:**

None.

12. With no further business, meeting was adjourned by Walworth at 9:53.

*\*\*Note that this meeting was not recorded.*