

MINUTES
PARK TOWNSHIP
PLANNING COMMISSION

Regular Meeting
December 13, 2011
6:30 PM

DRAFT COPY

Commissioner Pfof called the regular meeting of the Park Township Planning Commission (PC) to order at 6:30 PM.

Present: Bill Cole, Linda Dykert, Bob Ellis, Jeff Pfof, Tom Vanderkolk

Absent: Dennis Eade, Steve Schaftenaar

Others: Andy Bowman, Planning Consultant

APPROVAL OF AGENDA

MOTION

A motion was made by Vanderkolk and supported by Cole to approve the agenda as presented.

VOTE

Ayes 5 /Nays 0 Motion carried.

APPROVAL OF MINUTES

MOTION

A motion was made by Dykert and supported by Ellis to approve the minutes of October 18, 2011 as presented.

VOTE

Ayes 5/Nays 0 Motion carried.

Item #1 Miscellaneous Zoning Amendments

Bowman referred to the December 9, 2011 Staff Memorandum to the Planning Commission regarding the draft text for various zoning ordinance amendments. These are issues that have been previously addressed in work sessions for which more formal language is being drafted to eventually become part of a larger Township ordinance amendment. There will probably be more to include

as they proceed through this process and will be added by staff. Following review by the Planning Commission the recommendations will be sent to Dan Martin who will write them into a more formal ordinance format. An even more thorough - ordinance review is in the future as part of the Master Plan process.

The Commissioners asked for copies of the Master Plan to review changes proposed to date.

Cole suggested to continue looking at the items of concern in smaller batches then incorporate them as we go along in the process. Pfof added it would be helpful to pass on the higher priority items to the staff to take care of some of the ordinance bottlenecks.

I. Dangerous Buildings – there was an issue regarding local law enforcement agencies looking for a notice of an unoccupied building. In Bowman’s review the term should be “**enforcing agency**” rather than local law enforcing agency. This term has already been defined in the existing ordinance.

II. Changeable signs – this item refers to the concept of motion on a sign intended only for routine messages like time and temperature. In reviewing regulations Bowman observed that most of the current rules on digital or LED panels are aimed mostly at billboards rather than business identifying signs. Bowman said our concern with this regulation is business signs with changeable letter signage for special messages. The intent should not be advertising.

Bowman explained added criteria a, b and c to language for message changes on signs:

- a. *There shall be no animation, cartoons or moving pictures or similar depictions of motion.*
- b. *Movement of any kind shall be prohibited except the simultaneous and instantaneous change of letters, numbers or symbols necessary to convey the changing message.*
- c. *The rate of change between messages shall be no more frequent than ten (10) seconds.*

The Commission expressed concern about location of changeable signs near residential areas. Dykert suggested adding language restricting signs to 500’ from residential areas. Bowman said there is an illumination section that addresses glare, etc. to protect R-1 residential districts in the Township.

Cole asked why changeable signs are allowed. Bowman said you have to allow advertising for commercial districts. Cole said there is no commercial district to justify advertising signs.

Bowman said added language could consider the concept of more modern signage as technology develops.

The 10 second rate of change between messages was supported.

III. Front Yard Averaging – Bowman said these rules currently apply to residential front and rear yard averaging in addition to commercial front yard averaging. Pfof asked if we are better off maintaining the current ordinance rules to provide a method for resolving special circumstances in order to give some latitude. Bowman said the reason for requesting clarification is to address small lots and when there are homes that are very close to one another.

Ellis said the original rationale was to allow for specific exceptions. The Zoning Board of Appeals has been asked to often to make decisions on these special exceptions.

IV. Satellite Dish Antenna Permit Exemption – The Planning Commission recently agreed that the diameter of satellite dishes should not be over 3 feet. Originally this ordinance provided an exemption for a permit requirement but Bowman noted that apparently few if any persons are applying for permits anyway. Vanderkolk asked about restrictions in the rear yard since there are a number of small dishes that are not in rear yards. Cole asked about the current standard size. Several commissioners mentioned that generally the dishes are about 18 to 24". Dykert asked if we should look at rear yard restrictions. The Commission discussed the addition of language for #2 on lot and yard locations. It was generally held that rear or side yards should be good locations, depending on the size of dish..

With regard to #9, Pfof suggested consideration of a home system vs. commercial. Bowman said language could be added to cover this.

V. Home Occupation Signs – Bowman said there is a need to clarify the authorization for one home occupation sign in the R-1 Rural Estate Zone (and other residential zones pursuant Sec. 38-575), with the prohibition of home occupation signs in sign requirements of Section 38-506 (1)(c). The recommendation indicates only one sign.

Cole suggested that no signs be allowed for home occupation structures.

Ellis recalled discussion about this some time ago and thought there is documentation about such a regulation.

Bowman said a sign like this currently is allowed in R-1, but it must be flat against the building and not extend more than 12". Further, all light must be shielded from adjacent residences

Dykert disagreed with the need for signs and felt that word of mouth is sufficient for residents to know the location of a home occupation unit.

The Planning Commission agreed that a 32 square foot sign is too large and supported having no signs for home occupation units. The recommendation was for Bowman to take this section back to enforcement staff with the suggestion that a window sign could be an option. Pfof said the Commission wants to ensure that the ordinance does not contradict itself.

Bowman said there is a lot of latitude with regard to interpretation and agreed there is some vague or missing language that could be included.

Pfof said we need to help clarify language to make the compliance officer's job easier.

Bowman reminded the Planning Commission of future issues to consider:

- 1) **Temporary structures** – enforcement staff currently does not allow any structure of a temporary nature of over 200 square feet. Typically they might include small portable garages, ancillary metal structures, etc. Owners aren't getting required to get building permits for these, but zoning permits are still required. There is a conflict because the State building code applies to units larger than 200 square feet. The Planning Commission wants more information as to why staff is requesting this. It is related to the staff request to consider the possibility of not requiring zoning permits for fences and small buildings. This needs more clarification.
- 2) **Trailers and boats** – the issue is about trailers and boats stored in front of a house between November 1 and the end of February. The question is why such items are considered unsightly during this part of the year and not the rest of the year. The Planning Commission asked for additional information to justify an ordinance for this item.

PUBLIC COMMENT

Nicki Arendshorst – asked about the reason for the change in date of the meeting and why there was no November Planning Commission meeting. Pfof explained the November meeting was suspended and the coming holiday necessitated moving the December meeting to an earlier date.

Joel Barlow - commented that Holiday Haven is zoned commercial but it wants to consider itself as both residential and commercial. The condos consider themselves residential but this development is zoned commercial. The condos are being sold as individually owned lots.

Public Comment closed.

ANNOUNCEMENTS

Bowman briefly referred to the ongoing full zoning ordinance review which is to be shared with the Planning Commission. These issues will likely be reviewed as part of a more complete overhaul of the zoning ordinance after adoption of a revised Comprehensive Plan.

ADJOURNMENT

MOTION

Vanderkolk moved and Cole supported to adjourn the meeting at 8:05 P.M.

VOTE

Ayes 5/Nays 0. Motion carried.

Respectfully submitted,

Judith R. Hemwall
Recording Secretary
12/15/2011