

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, JANUARY 9, 2018 AT 7:00 P.M.
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Location: Ray Township Hall
64255 Wolcott. Ray, MI 48096

Present: Tom Penzien, Vice-Chairman
Members: Cynthia Banach
Randy Forro
Justin Marberg

Absent: Justin Lease (excused)
Doug Stier (excused)
John Zoccola (excused)

Also Present: Lisa Hall, Planning and Zoning Clerk,
Jack Dailey and Jerry Schmeiser, Township Planners.
Attendance record on file

1. CALL TO ORDER – PLEDGE OF ALLEGIANCE AND ROLL CALL.
Vice-Chairman Penzien called the meeting to order at 7:00 p.m. The Pledge of Allegiance was recited. Penzien, Banach, Forro and Marberg were present. Excused absent: Lease, Stier and Zoccola.

Penzien asked that the absent members names not be called if a roll call vote is taken.

2. APPROVAL OF MINUTES – December 12, 2017
Penzien stated he there is one correction on page 1, the minutes were approved as corrected.
MOTION by Banach supported by Forro to approve the minutes from December 12, 2017 as corrected.
MOTION carried.

3. APPROVAL OF AGENDA-
MOTION by Banach supported by Marberg to approve the agenda as presented.
MOTION carried.

4. SCHEDULED PUBLIC HEARINGS –
A. Special Land Use Application, Church in the R-1 (Agricultural-Residential) District; Located at the southeast corner of Romeo Plank and 28 Mile Road. Part of Parcel ID 05-29-100-031, Faith Baptist Church, Petitioner.

Penzien explained the procedure to the residents that the Planner will present his finding for the application. The correspondences from the departments would be read into the record. Then the public should come to the podium and state their name and address and state any concerns or comments they have on the item.

MOTION by Banach supported by Forro to open the public hearing at 7:02 p.m.
MOTION carried.

Mr. Dailey, Planning Consultant presented his findings dated January 3, 2018, as follows:

The purpose of this request as noted on the APPLICATION FOR SPECIAL LAND USE APPROVAL is to allow new church facility in the R-1 (Agricultural-Residential) District. According to Ray Township Zoning Ordinance 36, Section 403, Churches, Temples and other places of worship may be permitted as a special land use in the Residential Agricultural District subject to the standards of Section 1700 E; and the provisions of Site Plan Review.

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The subject parcel is zoned R-1 (Residential Agricultural). The parcel is located on the southeast corner of Romeo Plank Road and 28 Mile Road.

Special Land Use (SLU) is the use of a lot or parcel of land for an activity which, under usual circumstances, might be detrimental to other permitted land uses and cannot be permitted within the same district, but which use can be permitted under circumstances unique to the proposed location and subject to conditions acceptable to the community and providing protection to adjacent land use.

The Zoning Ordinance has vested the power to grant special land use approval to the Planning Commission. The Planning Commission must as part of its review and consideration conduct a public hearing regarding the merits of this request. The Planning Commission shall make a determination as to whether the proposed use as discussed below meets all ordinance standards of Section 1700 E applicable to the church use requested in addition to the required review standards found in Section 2202 of the Zoning Ordinance. The Commission must also find that there are no more adverse effects than would normally be associated with the subject district which in the opinion of the Planning Commission cause injury to the adjacent properties or residents, or the Township as a whole.

The Special Land Use Standards itemized in Sections 1700 E and 2202 of the Zoning Ordinance will be referenced individually later in this report.

The general description of the surrounding properties is as follows:

- A. The parcels adjoining on the east are zoned R-1 and contain residential parcels fronting on 28 Mile Road.
- B. The parcels to the west across Romeo Plank zoned R-1 and contain residential parcels and agricultural uses fronting on Romeo Plank.
- C. The parcels to the north across 28 Mile Road are zoned R-1 and contain residential parcels on both sides of Romeo Plank Road.
- D. The parcel to the south adjoining the south property line is zoned R-1 and contains a single-family residence.



I. The site plan submitted indicates the following;

- A. The subject property is a rectangular shaped parcel with 691.01 ft. of frontage on the south side of 28 Mile Road and 705.30 ft. on the east side of Romeo Plank Road. The parcel contains a total site size of 11.116 acres.
- B. The parcel presently contains an existing residential structure that is being used as a residence for church personnel.
- C. The applicant intends to construct a new church building and support parking on the site.
- D. The proposed church building will contain a total of 7,966 sq. ft.; will provide a seating capacity for 200 persons. The building will be setback 264 ft. from the centerline of Romeo Plank Road and 198.84 ft. from the south property line and 260 ft. from the existing residence on the adjoining parcel to the south. The building would be 252 ft. from the east property line and 350 ft. from the existing residence facing 28 Mile Road.

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- E. The primary entry to the church proper will be at the midpoint of the south elevation 225 ft. from the south property line. A covered walkway entrance will be provided with an off-set drive with two 12ft. lanes immediately north of the primary drive.
 - F. Access to the site would be via a proposed 30 ft. drive that would be located 135 ft. from the south property line. There is a 100-ft. deceleration lane indicated extending to the south property line and another 100-ft. taper further south. The drive will run due east into the proposed parking area that will be situated between the church building and the south property line. There is a separate drive to service the existing residential structure. The building as noted by the applicant will be used as a parsonage.
 - G. Parking for 83 cars will be provided on-site. The required number of parking spaces for the church based on seating capacity is 67 spaces. The parking area will be 50 ft. north of the adjoining south property line and no closer than 86 ft. to the residence on the adjoining parcel. The plan shows that future parking area set aside if necessary for 17 additional spaces between the north/south maneuvering lane and the landscape berm line that runs north/south. The edge of the future parking would be 150 ft. from the east property line.
 - H. The parking lot will be separated from the residential parcel to the south by a landscaped berm that will be developed beginning where the drive enters the parking area all around the outside edge of the proposed parking along the east line facing Romeo Plank Road, the south line which faces the residence and the north line of the parking area. The berm will vary in height from 3 ft. high and in width from 20 ft. where the berm faces either to roadway or the east property line; and 4 ft. in height and 28 ft. in width where the berm faces the existing residence and pool area to the south.
 - I. The landscaping area will be planted with 83 trees which in terms of numbers exceeds the minimum number of 64 trees that would be required based on the amount of linear feet for the required screening.
 - J. Storm retention area is proposed north of the entrance drive with storm lines running from the parking area
 - K. A trash enclosure area is proposed at the southeast corner of the proposed parking area.
 - L. A monument ground sign is proposed to be set along the Romeo Plank frontage approximately 100 ft. north of the entrance drive. A note on the plan indicates that the sign is to be placed in accordance with the sign ordinance but not part of this submittal.
 - M. A steeple and bell tower combination is attached to the front (west) elevation. The steeple/tower is 35 ft. tall.
- II. Applicable Sections of the Zoning Ordinance relating to the Special Land Use Request are cited below for reference:
- A. The request for a church is regulated by Section 1700-E of the Zoning Ordinance.
 - 1. The site shall have access directly onto a public road designated as a major thoroughfare. Romeo Plank is designated as a Major Road in the Township Master Thoroughfare Plan.
 - 2. Evergreen trees measuring six to eight feet in height shall be planted between the building and parking areas and; any residential use, residential zoning district, road right of way. Trees shall be planted at a minimum rate of one tree for each twenty feet. The Planning Commission may approve other alternative landscaping schemes provided the intent of this requirement is met. The landscaping plan as submitted is in compliance with this standard.
 - 3. No parking shall be permitted within the front yard. The parking area as proposed on the submitted site plan is completely out of the required front yard of the subject parcel.

Recommendation of John Dailey and Jerome R. Schmeiser regarding the request for Special Land Use for Faith Baptist Church. As the Planning Consultants for Ray Township the undersigned has reviewed the application for the special land use permit for "Faith Baptist Church" to be located on Parcel # 05-29-100-031; Faith Baptist Church, Applicant.

The recommendation is based on our opinion of how the use of subject property for a Church to be located on subject parcel comports with the special land use standards itemized in Section 2202 of the Zoning Ordinance. You will find below our opinion of how the proposed use conforms to each of the six standards.

STANDARD NO. 1

The proposed special approval land use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.

Comments to Standard No. 1: The Application for SLU to use subject parcel for a Church to be located as discussed above would be in harmony with planned future residential development to the north, east and west of subject site. The Master Plan as amended proposes surrounding areas to be developed for residential parcels ranging from 15,000 sq. ft. to 30,000 sq. ft. minimum. The proposed church will be in place and the focal point of the area when new housing is developed. It should be a striking visual space compatible with quality existing and future residential uses.

STANDARD NO. 2

The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements, routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access to off-street parking and provisions for pedestrian traffic, with particular attention to minimizing pedestrian vehicle conflicts.

Comments to Standard No. 2: The Application for SLU to use subject parcel for a Church to be located as discussed above would be consistent with the R-1 District. The parcel in question is of sufficient size to accommodate the proposed use including on-site parking and has been designed with respect to access to the public right-of-way's to safely and efficiently move vehicles on and off the parcel with no impact on either vehicular or pedestrian traffic. The drive location including design of the approach must be reviewed and approved by the Macomb Department of Roads.

STANDARD NO. 3

The proposed use will be designated so that the location, size, intensity, site layout and periods of operation of the proposed use eliminate any excessive nuisance emanating there from which might be objectionable to the occupants of any other nearby permitted uses.

Comments to Standard No. 3: The Application for Special Land Use to construct a Church to be located as discussed above would NOT be out of character with the District and adjoining parcels with respect to issues of noise, fumes lights, and vibration. The parking lot will be sufficiently screened using the planting of trees planted upon a landscaped earth berm to minimize the impact of lights from vehicles on site. There should be no negative impacts relating to noise, lights, fumes and other potential nuisance factors.

STANDARD NO. 4

The proposed use will be such that the proposed location and height of buildings or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

Comments to Standard No. 4: The recommendation includes items that are essential to making subject site compatible with the planned residential neighborhoods that will surround the subject site. The site plan as designed avoids conflict with the adjoining parcels using landscaping and distance. The proposed church building is designed to blend with the surrounding area.

STANDARD NO. 5

The proposed use is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected.

Comments to Standard No. 5: The Application for SLU to use subject parcel for a Church to be located as discussed above can and is designed to be operated in such a manner that the public health and safety would be adequately protected. The access drive is proposed to be located away from the intersection of 28 Mile Road and Romeo Plank so as to a reasonable extent avoids traffic conflict with that intersection.

STANDARD NO. 6

The proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

Comments to Standard No. 6: The Application for SLU to use subject parcel for a Church to be located as discussed above would operate as a complement to future land uses permitted with said zoning district. The use in question serves a recognized need in society at present and into the foreseeable future.

In summary the Request for Special Land Use Permit for “a Church”; Parcel #: 05-29-100-031, Faith Baptist Church Applicant should be APPROVED based on the following:

- The proposed use as described herein is consistent with or not in conflict with any of the Special Land Use standards found in Section 2202 of the Zoning Ordinance.
- The proposed use as described herein can be designed to comply with the special requirements imposed by Section 1700-E as noted above.

The Special Land Use however, should be approved subject to the site plan being be part of this approval subject to the following Conditions:

1. The parking areas are to be properly graded, drained, curbed and paved within one (1) years’ time to the satisfaction of the Township Engineer.
2. The petitioner to comply with all pertinent codes and ordinances, and guarantee that dimensions, acreage figures, and recorded easements in connection with this site plan are true and accurate as they provide the basis for this recommendation. The approval is given with the understanding that any structures such as signs, walls, tanks, etc., planned for the site will not be located in any utility easement or properties set aside for drains, sewers or water facilities unless an easement agreement is signed with the governing authority controlling the easement or property.
3. The front yard area and the areas between street line to be planted with grass and trees, and maintained.
4. The proposed drive to Romeo Plank Road must be approved by the Macomb Department of Roads and the Township Engineer with respect to exact location and all geometrics with respect to turning radii, lengths of tapers and proposed deceleration lane.
5. The driveway to the parsonage must be modified to meet current geometric standards per the Township Engineer
6. Light fixtures or light standards must have deflectors or shields for positive cut-off of direct beams of light, or glare from bulbs or fixture lenses, shining or casting light onto adjacent properties.
7. That the trash or dumpster pad area be enclosed on three sides with a six (6) foot wall.
8. An acceptable method of surety, such as a corporate surety bond or cash bond, in an amount determined by the Township Engineer based upon the site improvements required as part of this approval be posted, assuring the Township the property will be developed within two (2) years in accordance with the plan and elevations. If not developed with two (2) years from date of site plan approval, the petitioner will have to appear before the Planning Commission for consideration of an extension of the two-year time period. The bond must be posted prior to receiving construction permits from the Township Building Department.
9. That handicap parking be provided per the requirements of the State and the ADA (American Disabilities Act).

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10. That the sign shall be placed as designated in the notes on the site plan. The proposed monument sign must be approved by the Township Building Official and Planner and meet the following minimum requirements; the sign shall be a minimum of 100 north of the entrance drive; the leading edge of the sign must be a minimum of 70 ft. from the centerline of Romeo Plank Road; the sign shall not exceed 25 sq. ft. in area; not exceed 6 ft. in height and have a maximum ground clearance of two feet. Any changes must be approved by the Planning Commission.
11. That the petitioner provide proper drainage (storm and sanitary) and a proper water supply in accordance with the standards of the Township Engineer and the County Drain office. Soil Erosion permits shall be obtained through the Macomb County Public Works Commissioner
12. That all requirements of the Zoning Ordinance be met.
13. That the petitioner be aware that a Certificate of Zoning Compliance and a Certificate of Occupancy must be obtained prior to the occupation of the proposed building.
14. The Applicant shall meet with the Fire Department regarding the number and location of Knox Boxes to be posted on the site.
15. That the Township Engineer is satisfied that the engineering plans include:
 - Resolution of the location and grade for septic fields.
 - Water supply and hydrant location.

Senior Pastor, Rev. Troy Budreau of Faith Baptist stated they are not new to the community, ten years ago they purchased the church at the corner of 27 Mile Road and it became their home and they fell in love with Ray Township. He explained they have one-hundred members with young families and knew the existing site would be a temporary location due to the size of the building and the proximity to the major roads. He explained the Payne family had contacted them when they were selling the property and chose to sell to the church rather than a developer. He stated according to the Master Plan a church is allowed by the ordinance, but a special land use is required. Further stated they are excited to have a new home for the church.

Penzien stated each department provided a written correspondence, they were read into the record.

Correspondences: - *All correspondences are on file with the Planning & Zoning Department.*

12-18-17 Lyle E. Winn, Township Engineer of Anderson, Eckstein & Westrick, Inc.

1-2-18 Harold DeMan Jr., Ray Township Fire Marshal EMTIC.

12-21-17 Bob Beckett, Ray Township Building Official.

12-20-17 Laura Pobanz, Macomb County Health Department.

12-18-17 Tamara Keskey, Macomb County Public Works Office.

1-9-18 Kelly Timm, Ray Township Assessor.

12-20-17 Rev. Troy Budreau, Senior Pastor of Faith Baptist Church

Penzien stated if someone would like to ask any questions or concerns to step to the podium and state their name and address for the record.

Dan Eller, 61100 Romeo Plank, stated he lives north of the site and asked for clarification on the location of the parking lot lighting and if the sign would be lit.

Representative for Faith Baptist stated the lighting for the site is directed downward only and the lighting would not bleed onto the properties. Further stated the sign for the church would be lit.

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Denise Lotan, 16880 28 Mile Road, stated her property adjoins the site to the east. She inquired if they have secured the financing for the development and which bank they would be working with. She asked how the development of the site would affect her septic field and how the snow would be pushed on the site. She asked if the church would reimburse her if there is a decrease in property values for her home. She asked the requirement for the landscaping berm in case the plants would die. She asked if the site would be monitored and stated her concern with people using the dumpster for dumping furniture on the site. She inquired if the church had any recreational plans for the site, including camps or a cell tower and where the contractors would park when building the church.

Representative for Faith Baptist stated at this time they have not secured financing for the construction since they do not have Township approval to develop the site. He stated the development of the site will help the area for surface drainage and for the septic field in the area. He explained they have exceeded the Township requirements for the site with the irrigated landscaping berm with planting materials. He stated the church will be a very good neighbor and will have someone on site, so dumping would not be an issue. Further stated there are no plans to construct a cell tower and they would build a temporary construction drive on the property for the contractors.

Senior Pastor, Rev. Troy Budreau of Faith Baptist stated they will not have any camps on site.

Juliann and Gary Blancke, 60700 Romeo Plank stated they own the ten acres directly to the south of the site and appreciate Pastor Troy's eagerness to work with them for the construction of the site. They requested to flip the driveway and parking lot to the north side of the proposed retention pond and church, which would then have the development begin 200 feet from the property line. Further submitted a letter to each Planning Commission member dated January 9, 2018, which is in the file for the site.

Representative for Faith Baptist Church stated the site dictated how it could be developed because of the location of where the property perked along with the existing home and septic field. Further stated the plan submitted exceeds the ordinance requirements.

Gary Blancke, 60700 Romeo Plank stated no shovel has been put in the ground for the site. He stated the pond is nothing but a frog pond and there is no drainage on the site. Further requested the parking area be located to the north of the site.

Faith Baptist Church Representative from Urban Land Development agreed with Mr. Blancke and explained the pond would be double in size and would be constructed for all the water to drain to the pond.

Robert Lotan, 16880 28 Mile Road, asked when the construction would begin on the site. He stated the property does not drain and he has photos of the property flooded. Further stated there is not a ditch in front of the house.

Faith Baptist Representative stated they do not have approval to construct the site, so they do not have a construction date at this time. Further stated the drainage issue would be corrected in the area when the site is developed.

Denise Lotan, 16880 28 Mile Road, asked if the pond would be used for recreation or if any baseball diamonds, or soccer field would be on the site.

Faith Baptist Representative stated the pond would not be for recreational use and there would not be any ball fields on the site.

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Gary Blancke, 60700 Romeo Plank stated the deceleration lane would begin in front of his home, when Faith Baptist has 705 frontage on Romeo Plank. He stated if the parking was north of the building and the entrance moved north on the site it would not affect his property.

Gerry Wangelin, 60755 28 Mile Road stated his family owns the 76 acres west of the site. He stated the church has been outstanding to work with, but he concurs with Gary Blancke on moving the parking lot to the north. He stated his mother's home is across from the site and his concern with the car lights shining into her home.

Beth Eller, 61100 Romeo Plank, stated her concern with additional traffic on Romeo Plank at 55 mph in and out of the site and not having a stop at 28 Mile Road.

Faith Baptist Representative stated there will be a deceleration lane along Romeo Plank Road. He explained there will be no more additional traffic to the area since the church is already located at 27 Mile Road and Romeo Plank. Further stated there will be two services on Sunday and one service on Wednesday evenings.

David Schmuole, 67325 S Fuilest, Lenox, stated he is a member of Faith Baptist and the issue with additional traffic is null and void since the church is already in the community. He explained at the current location they are 20' from Romeo Plank with 55 mph and have a lot of young children and the proximity to the road they have had several close calls that is why they want to build a proper site with safety issues addressed.

Juliann Blancke, 60700 Romeo Plank stated they have worked well with Pastor Troy and construction has not begun on the site. Further asked that the parking be flipped to the north as requested since no shovel has been put in the ground.

Penzien asked if there were any more comments for the special land use public hearing.

**MOTION by Banach supported by Forro to close the public hearing at 8:11 p.m.
MOTION carried.**

Penzien stated a lot of people are not happy with the speed limit at 55 mph and that there is not a stop at Romeo Plank. He stated the roads are handled by the Macomb County Road Commission. He asked if the parking lot could be flipped to the north. Further stated the site complies with the Township ordinance and the applicant exceeds the requirements for the berm.

Lotan and Blancke's both stated their trees along their property lines are dying. Mr. Lotan stated the proposed berm is not shown along the entire property line.

Penzien stated the plan submitted complies with the Township ordinances and the Planners are recommending approval of the special land use and site plan as submitted.

Banach stated the plan complies with the ordinance and she understands the neighbors' concerns. Further asked if the neighbors' concerns could be addressed.

Forro stated he would not want a parking lot next to him either but the plan submitted complies with the rules of the ordinance.

Penzien asked if the parking lot could be relocated on the site.

Faith Baptist Church Representative stated the parking area cannot be moved because of the soil conditions on the site.

Penzien stated the Commission could ask the Assessor to provide a letter if the property values would devalue the homes in the area. Further asked the applicant if possibly the parking lot could be moved.

Pastor Troy Budreau stated the last thing they want is to cause turmoil in the community. Further stated it is not pressing for a decision this evening and he would have his professionals try to address the residents' concerns.

Penzien asked Pastor Troy Budreau if he would be in favor of tabling the matter for one month to try to address the neighbors' concerns.

Mr. Dailey, Planner stated in his fifty years of experience he has never seen an Assessor state a church would devalue the neighbor's property.

**MOTION by Banach supported by Forro to Table the Special Land Use and Site Plan for Faith Baptist Church to the next meeting.
MOTION carried.**

B. Public Hearing Regarding Amendments to Ray Township Zoning Ordinance #36,
Section 200- Accessory Buildings- setbacks, wall and building heights, square footage,
Section 215- Solar Panels- Delete paragraph (g)
Maximum Width to Depth Ration in Districts, R-1, RT, RM, MHC, RMU-Residential & Commercial, B-1, B-2, DMU without public sewer, IR and I-1
Section 1302 – Gas Stations (J)
Section 1700- Wireless Communication Tower
Definitions, Kennel- Private

Penzien stated the Planning Commission discussed each amendment to the Zoning Ordinance in detail at the last meeting.

**MOTION by Banach supported by Forro to open the public hearing at 8:43 p.m.
MOTION carried.**

There were no public comments at this time.

Mr. Dailey reviewed the findings for the Zoning Ordinance Amendments dated January 3, 2018, they are as follows:

The planners and the Building Official had a series of meetings regarding potential amendments to the Zoning Ordinance. The planners as you are aware brought these issues to the Planning Commission for discussion based on preliminary summary recommendations presented by the planners at the meeting of December 12, 2017. Each of the above referenced sections of the zoning ordinance was discussed separately. Following that discussion, the commission directed that the amendments should proceed to public hearing at the January 9, 2018 regular meeting of the Planning Commission.

You will find summarized below planners' comments and recommendations regarding the proposed amendments.

Section 200 Accessory Buildings in Residential Districts-

The intent of the recommended amendments to this Section is to;

Allow more variation in the size of an accessory structure based on the size of the parcel without the need for the property owner to obtain a Special Land Use approval.

Allow the maximum height at the ridgeline to increase by 2 ft. for larger structure.

Allow 10 ft. rear and side yard setbacks for all accessory buildings.

The amendment would allow property owners with less than 10 acres to construct an accessory structure proportional to the lot size in relation to smaller parcels without the need for a Special Land Use approval. For structures larger than 5,000 sq. ft. a Special Land Use approval would be required.

The Tables listing the proposed amendments is shown on the following page.

It is the opinion of the undersigned the proposed amendment to Section 200 allows more reasonable flexibility to the regulation of accessory structures in the residential districts and does not require a Special Land Use approval unless the size of the structure proposed would exceed 5,000 sq. ft. This standard is also consistent with other rural communities in Macomb County.

Required Side and Rear Yard Setbacks and Maximum Heights for Accessory Structures

Size of Structure	Required Side Yard Setback	Required Rear Yard Setback	Maximum Height of Sidewall	Maximum Height @ Ridgeline
less than 1,000 square feet	10 feet	10 feet	14 feet	22 feet
>1,000 but <3,001 sq. ft.	10 feet	10 feet	14 feet	22 feet
>3,000 but <4,801sq. ft.	10 feet	10 feet	16 feet	24 feet

- a. Shall not be located closer than ten (10) feet to any other building.
- b. Shall not exceed twenty-four (24) feet in total height as measured from ground level to the ridgeline or have a sidewall height greater than sixteen (16) **except as provided in the above Table for Maximum Height of Sidewall.**
- c. Shall have the following maximum size limits (these limitations shall not include the area within garages up to 720 square feet):
- d. Shall have the following maximum size limits (these limitations shall not include the area within garages up to 720 square feet)

Parcel Size	Maximum Permitted Size of Structure
Less than one acre	1,000 square feet
1.00 acre – 1.49 acre	1,200 square feet
1.50 acre – 1.99 acre	1,400 square feet
2.00 acre – 2.49 acre	2,000 square feet
2.50 acre – 2.99 acre	2,200 square feet
3.00 acre – 3.49 acre	2,400 square feet
3.50 acre – 3.99 acre	2,600 square feet
4.00 acre – 4.49 acre	2,800 square feet
4.50 acre – 4.99 acre	3,000 square feet
5.00 acre – 5.49 acre	3,200 square feet
5.50 acre – 5.99 acre	3,400 square feet
6.00 acre – 6.49 acre	3,600 square feet
6.50 acre – 6.99 acre	3,800 square feet
7.00 acre – 7.49 acre	4,000 square feet
7.50 acre – 7.99 acre	4,200 square feet
8.00 acre – 8.49 acre	4,400 square feet
8.50 acre – 8.99 acre	4,600 square feet
9.00 acre – 9.49 acre	4,800 square feet
9.50 acre- 10.00 acre	5,000 square feet

SECTION 215 SOLAR PANELS AND SHINGLES (OR THE LIKE).

The Ordinance as currently written requires that special land use approval shall be required when solar panels are used as part of the construction of a residence. See language below from two paragraphs of Section 215. The Township Attorney has advised that this requirement should be dropped since the balance of the Section provides more than adequate governmental review to assure that all safety concerns are addressed. It is recommended that the language in this Section to require special land use approval should be removed.

Design Elements -Lot Dimensions Requirement; Width to Depth Ratio; Sections 400 R-1 District, 500 RT District, 900 RM District, 1000 MHC District, 1100 RMU District, 1200 B-1 District, 1300 B-2 General Business District, and 1400 Davis Mixed Use District

The Ordinance as currently written stipulates a Maximum Width to Depth Ratio for lots in the above referenced districts to have a 1:5 maximum width to depth ratio. The Township Assessor has recommended given that State Law requires nothing more than 1:4 ratio should be applied when parcels are divided that the Township Zoning Ordinance should be consistent with State Law. Further, other districts within the Ray Township Ordinance presently stipulate 1:4 ratios. It is recommended that the above noted districts should be amended to provide for a 1:4 ratio in order to be consistent with State Law and other remaining districts in the Zoning Ordinance.

SECTION 1302- General Business; B-2- J

The Ordinance as currently written provides in paragraph J under SPECIAL LAND USES, that Automobile service stations and gas stations require special land use approval. The proposed AMENDMENT would list Automobile Service Stations (gas stations) as a Principal Permitted Use in SECTION 1301 and ~~STRIKE~~ Automobile service stations and Gas stations from J. in the SPECIAL APPROVAL LAND USES list. It is recommended that the amendment as referenced should be approved and recommended to the Township Board.

Section 1700-O; Wireless Communication Towers

The ordinance as currently written requires that Wireless Communication Towers must be approved as a special land use. The amendments to the ordinance as proposed keep most of the existing regulations in place but relax a key existing requirement that such towers may only be considered in either the B-1, B-2, I-R or I Districts, thus prohibiting consideration in any of the residential zoning districts. The proposed amendment would allow the planning commission to consider Wireless Communication Towers in all zoning districts subject to the regulations of Section 1700-O as amended. The amendment does provide specific protections to adjoining residential zoning districts relating to the aesthetics of the facility including that the equipment shelter shall be constructed of brick face, maximum height of building, roof structure material, and landscape screening. Further, all equipment must be located within one shelter on the site. It is recommended that the amendment as proposed should be recommended for approval to the Township Board. The amendment as proposed gives the planning commission the opportunity to impose reasonable restrictions on cell tower sites to protect future and existing residential uses and minimize the need for litigation.

Section 3000 DEFINITONS-KENNEL –

The language as current written for the definition of a Private Kennel states; Any lot or premises on which ~~not less than four (4) but~~ not more than ten (10) dogs six (6) months old or over, that are owned by the resident, are kept either temporarily or permanently for personal use or for breeding, competition, hunting or showing. It is recommended that the clause noted above be eliminated as being unnecessary to the definition.

**MOTION by Marberg supported by Banach to recommend approval to the Township Board for the Amendments to Ray Township Zoning Ordinance #36 for:
Section 200- Accessory Buildings- setbacks, wall and building heights, square footage,
Section 215- Solar Panels- Delete paragraph (g)
Maximum Width to Depth Ratio in Districts, R-1, RT, RM, MHC, RMU-Residential &
Commercial, B-1, B-2, DMU without public sewer, IR and I-1
Section 1302 – Gas Stations (J)
Section 1700- Wireless Communication Tower
Definitions, Kennel- Private
As recommended by the Planners.
MOTION carried.**

Jerry Schmeiser, Planner stated the Commission received pictures of a 20-foot wide greenbelt and they are working on an ordinance.

5. NEW BUSINESS.
A. Election of Officers – Review of Planning Commission By-Laws

**MOTION by Banach supported by Marberg for the Election of Officers; Tom Penzien as Chair, Justin Lease as Vice-Chair and Randy Forro as Secretary.
MOTION carried.**

6. OLD BUSINESS.
Discussion Capital Improvement Plan & Discussion Dedicated Landscape

Mr. Dailey stated they have begun working on the capital improvement plan and dedicated landscape area.

7. PRESENTATION: None.

8. REPORT OF THE BOARD REPRESENTATIVE: There was nothing to report.

9. ZONING BOARD OF APPEALS REPRESENTATIVE: - There was nothing to report.

10. CORRESPONDENCE – None.

11. PLANNING CONSULTANTS REPORT.
The Commission received the Planners monthly report dated January 3, 2018.

12. PUBLIC COMMENTS. – None.

RAY TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, JANUARY 9, 2018 AT 7:00 P.M.
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13. ADJOURNMENT.

**MOTION by Banach supported by Forro to adjourn the meeting at 8:54 p.m.
MOTION carried.**

Tom Penzien, Chairman

Randy Forro, Secretary

Date

Respectfully submitted,
Lori R. Lascoe, Recording Secretary
Township Clerk