

ROBINSON TOWNSHIP PLANNING COMMISSION
July 26, 2022

The regular meeting of the Robinson Township Planning Commission was called to order at 7:00 PM at the Robinson Township Hall.

Present

Shawn Martinie
Bill Maschewske
Travis Vugteveen
Steve Young
Lydia Brown

Absent

Anne Goede
Michelle Gillespie

Also present were Supervisor Frank Johnson and Zoning Administrator Julie Lovelace. The attendance sheet is not attached as it included no signatures.

A motion was made by Shawn Martinie and seconded by Travis Vugteveen to amend and approve the agenda, correcting the May 24, 2022 minutes to be approved to June 14, 2022. The motion carried unanimously with two members absent.

Bill Maschewske – Reported that Doug Putnam of the Zoning Board of Appeals requested the Planning Commission review Section 3.111 of the Zoning Ordinance regarding the definition of Front Yard for waterfront lots.

Chairperson Martinie – Distributed a list of subjects to be reviewed by the Planning Commission and requested all members to add additional items and return by the August 9, 2022 Planning Meeting.

Travis Vugteveen – Stated the Township Board has requested a joint meeting with the Planning Commission to review items, including the list of subjects distributed by Chairperson Martinie.

In regard to the recent inquiries with the Ottawa County GIS Department regarding latest maps, Lydia Brown noted that the City of Coopersville uses Unicode as a system to maintain updated records, such as the Zoning Map and Text Amendments.

A motion was made by Lydia Brown and seconded by Travis Vugteveen to approve the June 14, 2022 Planning Commission minutes as written. The motion carried unanimously with two members absent.

Non-Commission Member Inquiries and Questions --None

Reports and Communications

Travis Vugteveen reported from the Township Board that all pending Earth Change renewal permits had been approved at the last meeting.

Announcements

Chairperson Martinie reported that the list of topics for discussion should be reviewed and returned with any additions by the next Planning Meeting on August 9, 2022. Additionally, the latest Master Plan Map will be duplicated and distributed to all Planning Commissioners at that meeting also.

Old Business – None

New Business

The list of topics to be discussed was taken from a memorandum prepared by Zoning Administrator Lovelace dated July 13, 2022 and attached.

1. Detached Accessory Building Size Limits

Following a recent amendment to the Zoning Ordinance, an unintended consequence is that specific size properties may be permitted larger accessory buildings in the R-1 and R-2 Zoning Districts than in the A-1 or RR Zoning Districts. A legal interpretation was read from Township Attorney Ron Bultje on Section 4.2(D)(1) regarding implementation of the size regulations of accessory buildings for the RR and A-1 Zoning Districts. The interpretation stated that any amount of acreage exceeding a whole acre gets rounded up to the next whole number and therefore an additional 1000 sq. ft. of accessory building is permitted per the current Zoning Ordinance language.

A discussion followed regarding various interpretations and various sizes of accessory buildings permitted for each district. The consensus was that the RR and A-1 Zoning Districts should be more liberal regarding accessory building sizes than the R-1 and R-2 districts. The consensus was to leave Section 4.2(D)(2) as it is, allowing 1200 sq. ft. for the first acre and 1000 sq. ft. prorated for each additional acre with a maximum limit of 5000 sq. ft. Section 4.2(D)(1) was agreed to be changed to 1200 sq. ft. for the first acre and 1200 sq. ft. prorated for each additional acre. Zoning Administrator Lovelace is to draft the proposed text including the corresponding changes to Chapter 30.

2. Definition of Building, Accessory and what makes it attached or detached.

Section 4.2 of the Zoning Ordinance currently states that to be considered attached, an accessory structure must be connected and attached to the principal structure by way of a habitable structure. The term “habitable structure” is not defined in the Zoning Ordinance. By the recently revised definition of “habitable structure” in the Michigan Residential Building Code, many accessory buildings that were considered attached would no longer be considered attached.

Chairperson Martinie read the current definition of an attached accessory building in the Robinson Township Zoning Ordinance and from the Holland Township Zoning Ordinance and also various definitions of “attached accessory buildings” from a variety of sources.

Travis Vugteveen – Suggested removing the word “habitable” from the current definition and instead defining how it is required to be attached.

Following a lengthy discussion, it was agreed that to be considered attached, the accessory building should be connected by a structure with a roof, walls, and foundation with a maximum length of 20 ft. and a minimum width of 4 ft. No underground tunnels would be allowed. Construction standards should be the same as in Section 4.19A(3)(i).

3. Detached vs. attached accessory building sizes.

Following discussion, the consensus was for no limitation on the size of an attached accessory building. Detached accessory building sizes were already reviewed in Item 1 above.

4. Deed restrictions.

The purpose of the proposed deed restriction is to prevent a landowner from constructing accessory building sizes consistent with the lot size and then splitting the parcel such that the accessory building is now larger than permitted for the remaining lot size. A deed restriction would prevent lot splits creating parcels with accessory buildings larger than permitted for the remaining parent parcel. It was concluded this topic needed to be discussed with the Township Board since it was an enforcement issue.

5. Number of detached accessory buildings.

It was agreed that more than one accessory building should be allowed provided the total square footage permitted on the parcel was not exceeded. This would apply in all Zoning Districts except the LMDCOD and LSOD in which only one accessory building is allowed.

6. Parking and loading standards.

The Zoning Ordinance currently has no standards for parking and loading areas, however, they are required information in the Site Plan application in Section 31.7(G). Zoning Administrator Lovelace provided sample standards from Jamestown Township that were quite extensive and inclusive. Travis Vugteveen stated that Graphic Standards has details for both parking and loading. Zoning Administrator Lovelace is to check with both the Michigan Townships Association and Crockery Township for information they may have by way of example.

Following discussion of the list of topics from the Zoning Administrator, Chairperson Martinie suggested August 23, 2022 at 6:00 PM as a potential date for a joint meeting of the Planning Commission with the Township Board. The regular Planning Commission meeting would follow at 7:00 PM. The Township Board would lead the joint meeting.

Pay Bills

A motion was made by Lydia Brown and seconded by Travis Vugteveen to pay salaries for the July 26, 2022 meeting (one meeting, 5 members present)
The motion carried unanimously with two members absent.

Any and All Other Business That May Come Before This Board – None

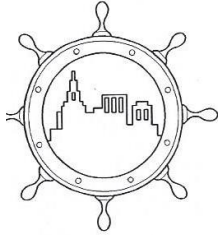
Adjournment

A motion was made by Travis Vugteveen and seconded by Steve Young to adjourn the Planning Commission meeting at 9:23 PM.
The motion carried unanimously.

Respectfully submitted,

Bill Maschewske, Secretary
Robinson Township Planning Commission

Attachment: Memorandum from the Zoning Administrator dated July 13, 2022



Fresh Coast Planning

250 Taylor Avenue, Ste 200
Grand Haven, MI 49417
www.freshcoastplanning.com

Gregory L. Ransford, MPA
616-638-1240
greg@freshcoastplanning.com

Julie Lovelace
616-914-0922
julie@freshcoastplanning.com

Sara Moring-Hilt
586-850-8784
sara@freshcoastplanning.com

Kevin Yeomans
616-821-4969
kevin@freshcoastplanning.com

MEMORANDUM

To: Robinson Township Planning Commission
From: Julie Lovelace
Date: July 13, 2022
Re: July Discussion Items

Below are the agenda items for discussion and a brief narrative of each:

I. Detached Accessory Buildings (DAB) Size Limits

2021 Ordinance amendment - Accessory Buildings Ordinance

4.2(D)(2) On any parcel in the R-1 or R-2 Zoning Districts, the combined floor area of all accessory buildings shall not exceed:

- (a) For parcels with up to one (1) acre in total lot area, twelve hundred (1,200) square feet or five (5) percent of the total lot area, whichever is lesser
- (b) An additional one thousand (1,000) square feet for each additional acre in total lot area, and an additionally pro-rated amount of square feet for each partial acre in total lot area, up to a limit of five thousand (5,000) square feet;
- (c) For parcels greater than five (5) acres in total lot area, if authorized as a special use in accordance with chapter 21, accessory buildings may exceed five thousand (5,000) square feet as well as the height limitation of this Ordinance. But in any event, an accessory building may not exceed an additional one thousand (1,000) square feet for each additional acre greater than five (5) acres in total lot area and an additional pro-rated amount of square feet for each partial acre in total lot area.

Chapter 30 Table 30.3 states that in A-1, A-2, and RR residents may have 1,000 SF of DAB per acre or 1,200 SF, whichever is larger.

An unintended consequence is that some properties in the R-1 and R-2 zoning districts can end up with buildings larger than in A-1, A-2, or RR. For instance, a 1.5-acre parcel in the R-1 district may have 1,500 SF. In the A-1 District, a 1.5-acre parcel may only have 1,200 SF.

If it is the desire of the PC to keep the DABs proportionate with the lot, you may wish to simplify and say that parcels in all districts may have 1,000 SF per acre/partial acre or 1,200 SF, whichever is larger (up to 5,000 SF in R-1 and R-2). If you have 1.467 acres, you get 1,467 SF of DAB.

II. Definition of Building, Accessory

We need to define "habitable building" – should it be enclosed/conditioned space?

Section 4.2 – "An accessory building is a structure on the same premises with the principal building or structure, occupied or devoted to an accessory use. Where an accessory building or garage is attached to, and made an integral part of, the principal building by way of a part of a **habitable structure**, such accessory building or garage shall be considered part of the principal building..."

III. Detached vs. Attached Accessory Buildings

Section 4.2(D) then goes on to limit the size of the accessory building, but does not specify if that limit is for both attached and detached accessory buildings.

This is an important differentiation, as it is becoming more common for residents to build the minimum size dwelling possible and have an attached "barn" big enough to accommodate recreational vehicles or social accessory uses. These are trending as "barndominiums" with the dwelling within the barn. Currently, the only thing limiting their size is setbacks. If the size of attached accessory buildings is not a concern, then perhaps no amendments are needed, but it should be discussed.

IV. Deed Restriction

Section 4.2(G) states "Before a permit is issued for the construction of one (1) or more accessory buildings upon a lot, the owner(s) of the lot shall be required to file with the Ottawa County Register of Deeds a statement in recordable form which provides that no subsequent division of that lot shall be permitted if any accessory building would then be located upon a lot smaller than what this Ordinance would require if the accessory building was constructed after the lot split, unless a variance is granted by the Board of Appeals.

I do not believe the Township has been enforcing this. We did discuss the importance of this at the last meeting and should discuss further.

V. Number of Detached Accessory Buildings

Refer to Section 4.2(G) above and you will see that it says "before a permit is issued for the construction of **one (1) or more** accessory buildings..." Section 4.2 (C) states no "accessory building may be closer than twenty (20) feet to any other accessory building", which implies more than one is permitted. In Section 30.3 Tables of Principal and Accessory Building Regulations at the bottom of page 5 within the table it says you get **one accessory building per lot**. Should that provision be removed from the table?

VI. Parking and Loading Standards

I find no direction in the Zoning Ordinance for the number of parking spaces, dimensions, location or loading area specifications. Section 31.8 Standards for Site Plan Review (A) states the site plan should be consistent with the M-231 Sub-Area plan, but the sub-area plan uses the word "should" throughout and not "shall".

I have been asked to provide a sample ordinance as a jumping-off point for a parking discussion. I think Jamestown Charter Township has a nice, easy to use ordinance that would serve well as a reference. Please see attached.

JL
Planner