

**MINUTES OF THE FRANKENMUTH TOWNSHIP
PLANNING COMMISSION
September 10, 2013**

The Regular Meeting of the Frankenmuth Township Planning Commission was held on Tuesday, September 10, 2013, at 8:00 P.M., at 240 West Genesee Street, Frankenmuth, Michigan.

Present: Haubenstricker, Frahm, Scherzer, Reid, and Grueber

Absent: Friend, Zoning Administrator

Chairman Haubenstricker called the meeting to order at 8:00 P.M., and asked for review and approval of the minutes for August 13, 2013, which were approved as presented.

Chairman Haubenstricker called for public comment and noted that there was none.

Chairman Haubenstricker began a discussion of a complaint of a resident living on West Tuscola about his neighbor's removal of trees on the neighbor's property which appeared to be preparatory for construction of a driveway onto West Tuscola. While a resident may remove trees on his own property, the construction of a driveway on an area whose width is 50 feet or less raised a new issue for the commission. The consensus of the commission was that the location of a driveway had not been thoroughly reviewed. The commission then reviewed Chapter 4, Section 403 (2) (b) which provides for a 25 foot side yard setback (the requirement did not apply in this case for the reason that the parcel in question was a parent parcel, a parcel which was in existence prior to the adoption of the current ordinance); Chapter 4 Section 404 which provides that a residential structure must have one or more off street parking sites; Chapter 9, Section 904 C (a) which provides for 50 foot setback from an existing driveway (the requirement would not apply to this case); and the general 5 foot side yard setback requirement which would apply. The commission reviewed its prior minutes and found that the property owner, Chris Stockwell, at 6000 West Tuscola, who was removing the trees, had appeared before the Commission to inquire about permissible splits and was told that his parcel did qualify for a split which split could access West Tuscola Road, if the parent parcel number was maintained and the remaining standard requirements for a buildable parcel were complied with.

Chairman Haubenstricker began a discussion of a question from Zoning Administrator Friend about a proposed split at 5664 Reese Road. The parental farm was being divided among the heirs and because of the site configuration the split would result in a 2.14 acre residential site which exceeded the 2 acre maximum. The consensus of the commission was that the commission would recommend to the ZBA that a variance be granted because of the preexisting configuration and the minor acre overage.

Chairman Haubenstricker deferred the discussion of chapter updates until Zoning Administrator Friend could be present.

Chairman Haubenstricker asked for a review of the recommendations from Township Attorney Meyer concerning the proposed Windmill Ordinance.

The commission revised certain sections; Mr. Frahm will revise the draft ordinance and present it for recommendation to the Township Board at the next meeting.

Chairman Haubenstricker asked for comment on the matter of commission bylaws.

Mr. Reid distributed proposed Bylaws to be discussed at the next meeting.

Chairman Haubenstricker asked for comment on the Medical Marijuana matter.

The commission discussed past and recent court decisions and the likelihood that the legislature will be amending the state statute. The chairman also noted that the Township Attorney was reviewing the matter. The moratorium enacted by the township board was confirmed.

The next regular meeting would be October 1, 2013 at 8pm. The Chairman will post the change of date.

Respectfully submitted,
Frankenmuth Township Planning Commission
Robert J. Reid, Secretary