

**VILLAGE OF FRANKLIN
PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JUNE 15, 2016 7:00 PM
at the Franklin Community Center/Kreger House**

I. MEETING CALLED TO ORDER

The regular meeting of the Village of Franklin Planning Commission was called to order by Chairman, Connie Ettinger at the Franklin Community Center/Kreger House, 26201 Carol Ave., Franklin, MI at 7:00 P.M.

II. ROLL CALL

Present: Rajaei Abbass, Calvin Cupidore, Connie Ettinger, David Goldberg, Peter Halick, Dean Moenck

Absent: Bob Wilke

Also Present: Planning Consultants, Sarah Traxler and Brian Keesey, McKenna & Associates; Village Administrator, Jim Creech

III. ADOPTION OF AGENDA

Motion by Moenck, seconded by Abbass to adopt the agenda, as presented.

Ayes: Abbass, Cupidore, Ettinger, Goldberg, Halick, Moenck

Nays: None

Absent: Wilke

Motion carried.

IV. ADOPTION OF MINUTES

A. Regular Meeting of March 16, 2016

Cupidore noted on page 2, under **VIII. NEW BUSINESS, A. Consider Election of Officers**, 2nd sentence should read, "...Ettinger responded that the election would be in July noting that this particular election was to fill..." Ettinger had a correction on page 4. The 1st sentence should read, "Ettinger began the discussion by saying that the "Guidelines" also known as Franklin 2020 were referred to in at least four (4)..." There was a typo in the 3rd sentence it should read, "Creech verified that in the 2016-2017 Planning Commission Budget..." Also, on page 4, Ettinger requested to strike the entire sentence, "~~Originally, MSF was to take the lead in the project... PC should marshal it.~~"

Motion by Cupidore, seconded by Abbass to approve the Minutes for the Regular Meeting of March 16, 2016, as amended.

Ayes: Abbass, Cupidore, Ettinger, Halick, Moenck

Nays: None

Absent: Wilke

Abstain: Goldberg

Motion carried.

There was a discussion as to the direction of/progress of/requirements for the Design and Sustainability Guidelines. Future development/implementation is unknown.

V. COUNCIL LIAISON REPORT

Creech reported that at the Monday's Council Meeting during the Public Requests and Comments section a resident voiced her concern about the timeline of the demolition of a house at the corner of Ovid Ct. and Inkster and the rumor that the owner wanted to split the lot. Council approved the budgets, budget amendments, contracted payroll services, and issued a Civic Permit for Movies on the Green.

Ettinger confirmed that the 2016-2017 Planning Commission budget was \$15,000. Moenck inquired about Appointments/Reappointments to the various Village Boards and Commissions. Ettinger explained that the item had been tabled because those positions had not been posted on the website. They would be appointed/reappointed at the next Council meeting.

VI. PUBLIC COMMENTS

Ettinger opened the meeting for public comments with no one from the public responding.

VII. UNFINISHED BUSINESS

A. Review of Zoning Ordinance

Ettinger explained the procedure for Commissioners expressing their opinions/comments would be the same as was used when reviewing the Master Plan. Each member would express his/her opinions, discussions would follow, and a general vote at the end.

Creech emphasized that the criteria the PC was reviewing was the criteria the ZBA would use to evaluate the variances to the Zoning Ordinance. Brian Keesey and Sarah Traxler from McKenna Associates have changed some things they had identified to be unclear and therefore might make it difficult to enforce the ordinance. They focused on two major issues: changes in the law and clarification of the ordinance. Traxler reminded the commissioners that these were the amendments that they (Traxler and Keesey) had prepared based on the technical review of the Ordinance which had been updated and previously provided to the PC.

Calvin Cupidore

Pg. 7, **1240.08, (73A) Definitions: Tourist Home**: Are there any existing examples currently in the Village? What is the history that would facilitate such an insertion? Keesley said Creech had pointed out this in the Ordinance. The definition was not in the current Ordinance and this clarified what is not permitted.

Pg. 10, **1244.07 (2) F Powers and Duties**: He questioned the strong term "noxious", the last word in the last sentence. Traxler expressed the appropriateness of the strong language because the ZBA wants to have consistent standards when denying requests.

Pg. 13, **1250.04 (c) Accessory Uses, Buildings, and Structures**: He questioned the number of automobiles and the comparison of a commercial vehicle to a regular manufactured pick-up truck, etc. Keesley explained that the comparison was already in the Ordinance. Referencing some of the large garages in the Village, there was a discussion regarding the number of cars allowed, the size of the garage, the definition of a "garage", the purpose of the garage, and the number of garage doors permitted. Traxler suggested to strike the number of cars and keep the reference to one (1) commercial vehicle not larger than, etc. The PC members agreed.

Pg. 18, **1262.01 (a) Parking Requirements:** He questioned the inclusion of the parking space measurements. Keesey explained that he moved the regulatory language out of **1240.08 (57)Definitions, Parking Space:** and to be included in its own chapter.

Ettinger suggested that the PC end the discussions at Chapter 1268 “Supplementary Regulations”.

Connie Ettinger

Pg. 2, **1240.01 (j) Intent and Purpose:** She would like to strike the word, “unavoidable”. Traxler explained that technically you’re supposed to be able to prove that you haven’t regulated possible land uses in your community.

Pg. 5, **1240.08 (44) Definition, Lot coverage:** She pointed out that some gravel driveways are pervious. Keesey will clarify this point. There was a question whether or not to include basketball courts and tennis courts “under impervious surfaces”.

Pg. 7, **1240.08 (72) Definition, Structure:** She wanted the meaning of “permanent location” clarified. It was agreed to exclude the examples. There was a discussion about the issue of permanency. Keesey would work on the wording of the sentence.

Ettinger would like to add under **Definition, (72 A) Substantial Justice** because the term is mentioned many times in the document. She distributed copies of page 29 of the Zoning Board of Appeals Handbook to the PC members. Traxler provided some background, stating that it came from some court decisions and thought it might be added to the ZBA section, rather than in **Definitions**. Ettinger would also like to include in the ZBA section something that stated that monetary concerns do not constitute a hardship.

Traxler suggested that ZBA members attend regular training sessions in order to be aware of the different rules associated with the Zoning Board of Appeals. She would speak with Chris Doozen about adding specific language regarding this.

Dean Moenck

Pg. 2, **1240.02 Short Title:** He asked for a clarification of “Short Title”.

Pg. 9, **1244.07(c) Powers and Duties: Action on Building Department Decisions:** He inquired about the usage of “...two-thirds of the members...” instead of using the term “super majority”. Traxler explained that the 2/3 language was used in the Planning Commission By Laws.

Pg. 9, **1244.07 (d) Powers and Duties: Standards for Variances:** He questioned the striking of the majority of the paragraph and substituting a phrase using of the word “spirit” which he felt was very discretionary and ambiguous. Keesey explained that it was standard language which was consistent with the state zoning act and in the spirit and intent of Franklin’s Zoning Ordinance.

Pg. 11, **1244.09 Approval Period:** He would like the second to last sentence and the last sentence to read, “...extend the twelve-month period for an additional six-month period.”

Pg. 14, **1252.01 Intent; Criteria; Application:** Keesey explained that the sentence referring to “natural assets”, which had been struck out, was more of a definition and would be moved to that section.

Pg. 15, **1252.12 Council Approval; Deed Restrictions**. He was surprised by this section. Traxler explained that this pertained to new development under the **Single-Family Planned Residential Option(1252.14)**.

The subject of Group Homes was discussed. Traxler would do some research to make sure that the Ordinances were in compliance.

David Goldberg

He mentioned the different references to “The Zoning Code” and “Zoning Ordinance” throughout the document. For consistency, he suggested that all references should be to “The Zoning Code”.

Pg. 2, **1240.01 (b) Intent and Purpose**: Last word should be “Village” not Township.

Pg. 2, **1240.01 (g) Intent and Purpose**: He would like to end the sentence with the word, “facilities”. Strike the words “...such as transportation, water, sewage, and parks.”

Pg. 2, **1240.01 (i) Intent and Purpose**: He would like to strike the word, “~~industrial~~”.

Goldberg mentioned wanting all references to a person, corporation, or firm etc. to be global and use the term “corporation or limited liability company”.

He also had questions on items which had been designated “No changes proposed”: **1240.08 (34) Definitions**: “Garage” should be consistent with **1250.04 Accessory Uses, Buildings and Structures, 1250.04 (c)** on page 13.

Pg. 5, **1240.08 (38) Definitions**: Home occupation. He would like more clarification.

He questioned the definition of “Kennel” on page 5, in **1240.08 (39):Definitions**, No changes proposed .

He asked for a clarification of **1240.08 (69 B) Definitions**: “Public Street”. He would add to the end of the sentence, “...*or any other governmental agency.*”

Pg. 11, **1244.07 (e) Powers and Duties: Conditions of Variances**: In 2nd sentence of 2nd paragraph, strike word, “~~determination~~” and replace with “*interpretation*” which would be consistent with several places in the document.

Peter Halick

Pg. 4, **1240.08 (36) Definitions**: Greenbelt. He inquired if the sentence, “~~The plantings shall be designed...in height.~~” and the following ~~Sections A. and B.~~, which were struck would be moved to another section. Keesey answered that he would propose creating a new section on regulations of landscaping. Keesey would be adding some additional specifications.

Pg. 5, **1240.08 (37) Definitions**: Heritage tree. He wanted to confirm that the Appendix A-4 was in the Zoning Code.

Raj Abbass

He stated that everything was covered and he agreed with the changes and reasoning’s already noted.

There was a discussion as to how the Technical Review with all the changes would be presented to the members.

Ettinger mentioned that the next meeting would begin with **Chapter 1268** "**SUPPLEMENTARY REGULATIONS**" and the new landscaping provisions.

VIII. BUDGET REPORT

Traxler stated that the Zoning Board Ordinance budget would be coming in under budget.

IX. UPCOMING MEETING DATES

- A. Next Regularly Scheduled Meeting, **6:30 PM**, July 20, 2016 at the Franklin Community Center/Kreger House.

X. ADJOURNMENT

Motion by Cupidore, seconded by Abbass to adjourn the meeting.

Ayes: Abbass, Cupidore, Ettinger, Goldberg, Halick, Moenck

Nays: None

Absent: Wilke

Motion carried.

There being no further business, the meeting adjourned at 9:00 P.M.

Respectfully submitted,
Gail Beke, Recording Secretary

Eileen H. Pulker, Clerk