

Burr Oak Township Planning Commission Meeting
May 18th, 2020 at 7:00 p.m.

Members Present: Tim Hahn, Monica Smith, Mike Perry, Rick Ultz, Ken Wall

Guest: Lance Thornton-Burr Oak Township Attorney
Matt Craven, Burr Oak Township resident (by teleconference)

Call to Order--Commission Chair Tim Hahn called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Approval of Meeting Agenda—A motion was made by Rick Ultz with support by Ken Wall to accept the meeting agenda as presented. The motion passed unanimously.

Secretary's Report—Monica Smith presented the minutes from the Commission's January 20th, 2020 meeting for review. A motion was made by Ultz with support by Perry to accept and approve the minutes as presented. The motion passed unanimously.

Old Business—None

New Business

Burr Oak Township attorney Lance Thornton presented revisions to the Burr Oak Township's Zoning Ordinance (No 2002-1) in terms to definitional changes in regards to the definitions in Section I, Article 3 of Lot; and definitions added for Lot, Corner; Lot Lines (clarified); definitions for Highway, Road or Street replaced by Road or Street, private; and Road or Street, public; definitions for Yard, Front; and Yard, Rear; and Yard, Side being replaced.

Section II-Section A of Article 19 has a proposed amendment regarding building permits for structures on unplatted lots. Lot, Corner; Lot Lines private yard, public property, and side yard definitions. The definitional changes are a result of the Burr Oak Township Zoning Board of Appeals' meeting held February 10th, 2020 for the purpose of the ZBA interpreting the minimum lot width required under Article 25. The changes to definitions apply to Section 8 of Article 19 and to definitions, especially frontage definitions, under Article 25.

Section III: Amendment of Article 25: Footnote 2 to the Chart in Article 25 is amended i.e. minimum lot width measurements and method of measurements.

In addition to the amendments to Sections I, II and III, Sections IV, V, VI and VII are included with the Amendments to the Burr Oak Township's Zoning Ordinance (2002-01) as indicated in the attached document (Attachment A)

Thornton shared that he copied both Burr Oak Township Assessor Dale Hutson, and Glenn Lindsey, SAFEBuilt, requesting their feedback on the proposed amendments. Thornton indicated that Lindsey, SAFEBuilt, has no issues with the proposed amendments. Assessor Hutson responded directly to Thornton with his concerns which were unbuildable lots and state land division statutes. After some discussion, Thornton stated Hutson's concerns were resolved.

Thornton recommended setting a Public Hearing to consider the ordinance amendments, reminding board members that a 15-day public notice is required. The Public Hearing can be conducted during the Planning Commission's July 20th meeting. A motion was made by Wall with support by Smith to schedule a Public Hearing for Monday, July 20th, to be held at 7 pm at the Burr Oak Township Hall to receive public comment on the proposed amendments. The motion passed unanimously.

Following the discussion of the ordinance amendments, Burr Oak Township resident Matt Craven addressed the board (by teleconference) regarding his interest in establishing a recreational marijuana business, asking if any changes have been made to Burr Oak Township's stance, which is currently opt-out. Thornton advised Craven that

the Planning Commission would be directed by the Burr Oak Township board rather than the Planning Commission leading the charge to change the current 'opt-out' status.

In other business, a Burr Oak Township Zoning Board of Appeals meeting is scheduled for Tuesday, May 19th, 2020 at 6 p.m. to consider a setback Variance Request application.

Adjournment

A motion was made by Wall with support by Ultz to adjourn. The motion passed and the meeting was adjourned at 7:32 p.m.

Respectfully submitted,
Monica Smith, Secretary
Burr Oak Township Planning Commission