



AGENDA
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION – REGULAR MEETING
March 14, 2022 7PM

1. CALL MEETING TO ORDER
2. ROLL CALL
3. PUBLIC REMARKS
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
 - A. February 28, 2022 Regular Meeting

6. COMMUNICATIONS
7. PUBLIC HEARINGS
 - A. Text Amendment 2022-02 – Zoning Board of Appeals standards of review
 - B. Text Amendment 2022-03 – Lake Lansing Residential Overlay District – Lot Coverage
 - C. Text Amendment 2022-04 – Lake Lansing Residential Overlay District – Front Yard Setbacks
 - D. Text Amendment 2022-05 – Fence Height
 - E. Text Amendment 2022-06 – Yard Encroachments Permitted

8. UNFINISHED BUSINESS

9. OTHER BUSINESS

10. REPORTS AND ANNOUNCEMENTS
 - A. Township Board update.
 - B. Liaison reports.

11. PROJECT UPDATES
 - A. New Applications
 1. 2745 Mount Hope – Montessori Radmoor building addition

 - B. Site Plans Received

 - C. Site Plans Approved

12. PUBLIC REMARKS

13. ADJOURNMENT

AGENDA page 2
CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION MEETING
March 14, 2022 7PM

TENTATIVE PLANNING COMMISSION AGENDA
March 28, 2022

1. PUBLIC HEARINGS
 - A. Special Use Permit 22-041 – 2745 Mount Hope – Montessori Radmoor Addition
 - B. Rezoning #21060 – 2260 Jolly Oak Road, PO to C-2
 - C. Text Amendment 2022-07 – Delete RRR District
 - D. Text Amendment 2022-08 – Update Traffic Study Standards

2. UNFINISHED BUSINESS

3. OTHER BUSINESS

Individuals with disabilities requiring auxiliary aids or services should contact: Director of Community Planning and Development
Timothy R. Schmitt, 5151 Marsh Road, Okemos, MI 48864 or 517.853.4506 - Ten Day Notice is Required.
Meeting Location: 5151 Marsh Road, Okemos, MI 48864

Providing a safe and welcoming, sustainable, prime community.



**CHARTER TOWNSHIP OF MERIDIAN
PLANNING COMMISSION
REGULAR MEETING MINUTES**

DRAFT

**February 28, 2022
5151 Marsh Road, Okemos, MI 48864-1198
853-4000, Town Hall Room, 7:00 P.M.**

**PRESENT: Vice-Chair Trezise, Commissioners Hendrickson, Richards, Premoe,
Shrewsbury, McConnell, Snyder, Cordill**

ABSENT: Chair Blumer

**STAFF: Director of Community Planning & Development Timothy Schmitt, Senior
Planner Brian Shorkey, Multimedia Producer Samantha Diehl**

1. CALL MEETING TO ORDER

Vice-Chair Trezise called the regular meeting to order at 7:01 pm.

2. ROLL CALL

Vice-Chair Trezise called the roll of the Planning Commission, all are present except for Chair Blumer

3. PUBLIC REMARKS

Vice-Chair Trezise opened public remarks at 7:02 pm.

NONE

Vice-Chair Trezise closed public remarks at 7:02 pm.

4. APPROVAL OF AGENDA

**Commissioner Cordill moved to approve the agenda.
Seconded by Commissioner McConnell.**

VOICE VOTE: Motion approved unanimously.

5. APPROVAL OF MINUTES

A. February 14, 2022 Regular Meeting

**Commissioner Hendrickson moved to approve the Minutes of February 14, 2022 Planning
Commission Regular Meeting as presented. Seconded by Commissioner Richards.**

VOICE VOTE: Motion approved unanimously.

6. COMMUNICATIONS-NONE

7. PUBLIC HEARINGS-NONE

8. UNFINISHED BUSINESS

- A. Special Use Permit – 22-021 – Silverleaf PUD Development, vacant Bennett Road property – Floodplain fill

Senior Planner Shorkey outlined Special Use Permit – 22-021 – Silverleaf PUD Development, vacant Bennett Road property – Floodplain fill for discussion.

Commissioner Cordill asked if there is still a large water containment area.

Senior Planner Shorkey explained detention basin three is the largest on the site. He further explained the pipe in question is a storm pipe that only acts as a release for the detention basin in the event of heavy rain.

Commissioner McConnell moved to approve Special Use Permit – 22-021. Seconded by Commissioner Hendrickson.

Commissioner Hendrickson noted approval from the drain commissioner is a condition of the project.

Dean McFarlane-Parrott, 4324 Aztec Way, Okemos, MI spoke in opposition of Special Use Permit – 22-021.

ROLL CALL VOTE: YEAS: Commissioners McConnell, Hendrickson, Richards, Premoe, Shrewsbury, Snyder, Cordill, Vice-Chair Trezise

NAYS: None

Motion carried: 8-0

9. OTHER BUSINESS

- A. Text Amendment – Deletion of RRR zoning district

Senior Planner Shorkey Outlined Text Amendment – Deletion of RRR zoning district for discussion.

Commissioner Hendrickson asked if there is a need for sections 2-5 if section 1 doesn't exist.

The Commission discussed the overall structure of ordinance amendments. Commissioner Hendrickson clarified that sections two through five will never appear in the ordinance, they are only for the purpose of passing this item.

Commissioner Premoe stated this will come back in a public hearing before going to the township board.

Commissioner McConnell recommended staff bring forward the existing language of the ordinance to help understand how the amendment fits in within the language of the ordinance.

Senior Planner Shorkey replied he could do that.

Commissioner Cordill stated since no parcels are zoned as RRR and there is no reason to offer it, then there is no reason to keep the zoning and that is all this item is trying to achieve.

Senior Planner Shorkey replied yes.

10. REPORTS AND ANNOUNCEMENTS

A. Township Board update.

Director Schmitt reported the Meridian Company building was introduced to the board and action will be taken in the future. Staff is working on a minor amendment that will standardize fire hydrant hose connections for the Fire Department. The Township Board has two openings with the passing of Supervisor Styka and the resignation of Dan Opsommer. Trustee Jackson has been appointed the new Supervisor and Dan Opsommer is now the Assistant Township Manager and Director of Public works and Engineering. With this the board is accepting applications to appoint two new trustees.

Commissioner Cordill asked if Supervisor Jackson will be carrying out the rest of the former Supervisor four year term.

Director Schmitt replied that she will need to run for the position in the fall elections as will the appointed trustees if they wish to keep their positions.

Commissioner Hendrickson asked for a recap on where the Village of Okemos is currently at.

Director Schmitt stated initial comments on the site plan have been distributed this morning. The Brownfield Redevelopment Authority has taken an initial look at the brownfield plan which is currently under review by Triterra, and the Brownfield Redevelopment Authority will review it again at their next meeting. A request will be made to the Meridian Redevelopment Fund which will be discussed tomorrow morning at the Economic Development Corporation meeting.

Commissioner Hendrickson asked for a top level overview.

Director Schmitt stated the project is functionally the same as when he was hired to the township. There are 200 residential units over four stories in the two buildings, commercial at the corners of Hamilton Rd. and Okemos Rd., and down Hamilton Rd. A small rooftop area is planned for the corner units, there's day lighted basement space on Okemos Rd. that will be used as a fitness center, now that the grading is known some dirt will be moved.

Director Schmitt further stated the Department of Environment, Great Lakes and Energy has indicated they will extend the grant/loan with the township to keep the project moving forward, and there is an ask to the Michigan Economic Development Corporation for the gap funding. From a site plan perspective, the development is also in talks with the County Drain Commission and County Road Department about drainage and road connections.

Commissioner Hendrickson asked if there is any indication of a timeline update.

Director Schmitt replied construction is expected to start this year.

Commissioner Richards asked how much commercial is in the present plan.

Director Schmitt replied about 32,000 sq. ft.

Commissioner Richards asked if commercial is all on the first floor.

Director Schmitt replied the vast majority is on the first floor.

B. Liaison reports.

Commissioner Premoe

- The Brownfield Redevelopment Authority received a report on the sources of funding for the Village of Okemos Project for containment and remediation of potential environmental hazards, the current storm system will be replaced and the new one will be put in with retaining walls so in case of failure the walls will contain hazardous material. He noted the system for remediation will be sending vapor up instead of towards the river

Director Schmitt stated the system is called an active vapor mitigation system.

Commissioner Snyder

- The Transportation Commission met on February 17th to discuss the MDOT M-43 project and pedestrian street access during the project, becoming a bicycle friendly community with the League of Michigan Bicyclists, and stated the MSU to Lake Lansing Trail Project should be completed this year

Commissioner Cordill

- The Corridor Improvement Authority met February 16th to discuss their 2022 Goals as follows: “Pursue the establishment of a Tax Increment Financing plan to support redevelopment of the Meridian Mall”, “actively pursue the recertification status as a redevelopment ready community”, “support the small business community through the Okemos bridge and M-43 Grand River reconstruction project”

Vice-Chair Trezise

- Attended Economic Development Corporation meeting in January where three million dollars was requested from the Development Fund for infrastructure improvements around the Village of Okemos, this request will be reviewed by a sub-committee of the Economic Development Corporation Thursday March 3rd

11. PROJECT UPDATES

A. New Applications

NONE

B. Site Plans Received

SPR 22-03 – Douglas J updates

C. Site Plans Approved

NONE

12. PUBLIC REMARKS

Vice-Chair Trezise Opened Public Remarks at 7:44 pm.

Dean McFarlane-Parrott, 4324 Aztec Way, Okemos, MI spoke in opposition of Special Use Permit – 22-021.

Vice-Chair Trezise Closed Public Remarks at 7:47 pm.

13. ADJOURNMENT

**Commissioner Premoe moved to Adjourn.
Seconded by Commissioner Richards.**

VOICE VOTE: Motion approved unanimously.

Vice-Chair Trezise adjourned the regular meeting at 8:31 p.m.



To: Members of the Planning Commission

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: March 10, 2022

Re: Text Amendment 2022-02 – ZBA Standards of Review

In January, Staff presented the initial concept behind modifying the standards of review for the Zoning Board of Appeals to grant a variance to a property owner. There are currently eight standards, which are at times duplicative. Staff is proposing to change the standards of review for a variance to more closely mirror the general standards for a practical difficulty (the basis for a non-use variance) that have been established through legislation and case law in Michigan. This will streamline the ZBA's work and make their decisions more defensible, should a decision ever be challenged in Court.

As mentioned previously, the attached ordinance would combine the ZBA's existing criteria one and two into one criterion pertaining to unique circumstances. Criteria three and four would be combined into one criterion specific to practical difficulties. Criterion seven would be eliminated to place the burden of updating the Ordinance on the Township and not the applicant.

Neither the Planning Commission or the Zoning Board of Appeals have raised any concerns with this proposed amendment in their reviews of the ordinance. Staff is able to **recommend approval** of the proposed amendments at this time.

After the public hearing on this matter, the Planning Commission will be asked to make a recommendation to the Township Board on the proposed ordinance. The Township Board will take final action on the ordinance after this recommendation is received.

Attachments

1. Clean version of Ordinance 2022-02 – ZBA standards of review
2. Redlined version of Ordinance 2022-02 – ZBA standards of review

ORDINANCE NO. 2022-02

AN ORDINANCE TO AMEND SECTION 86-221, REVIEW CRITERIA, OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-221, Review criteria, is hereby amended to read as follows:

In the review of an application for a variance, the Zoning Board of Appeals should determine if the following criteria are satisfied:

- (1) Unique circumstances exist that are peculiar to the land or structure, that are not applicable to other land or structures in the same zoning district and these unique circumstances are not self-created.
- (2) Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties that would prevent the owner from using the property for a permitted purpose.
- (3) Granting the variance is the minimum action necessary which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
- (4) Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
- (5) Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk

ORDINANCE NO. 2022-02

AN ORDINANCE TO AMEND SECTION 86-221, REVIEW CRITERIA, OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-221, Review criteria, is hereby amended to read as follows:

In the review of an application for a variance, the Zoning Board of Appeals should determine if the following criteria are satisfied:

- (1) Unique circumstances exist that are peculiar to the land or structure, that are not applicable to other land or structures in the same zoning district ~~and these unique circumstances are not self-created.~~
~~These special unique circumstances are not self-created.~~
- (2) Strict interpretation and enforcement of the literal terms and provisions of this chapter would result in practical difficulties ~~that would prevent the owner from using the property for a permitted purpose. -~~
~~That the alleged practical difficulties which will result from a failure to grant the variance would unreasonably that would prevent the owner from using the property for a permitted purpose.~~
- (3) Granting the variance is the minimum action ~~necessary that will make possible the use of the land or structure in a manner which is not contrary to the public interest~~ ~~and~~ which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
- (4) Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
~~The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.~~
- (5) Granting the variance will be generally consistent with public interest and the purposes and intent of this chapter.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

1 ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of
2 XXXXXXXX, 2022.

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Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk



To: Members of the Planning Commission

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: March 10, 2022

Re: Text Amendment 2022-03 – Lake Lansing Residential Overlay District – Front Yard Lot Coverage

In January, Staff presented the initial concept behind modifying the maximum amount of front yard lot coverage that is permitted in the Lake Lansing Residential Overlay district. This has been a consistent variance request for several years and the Zoning Board of Appeals asked Staff to look into the issue and see if some modifications could be made to the standards to reduce the number of variances that were being submitted.

Based on previously granted variances, Staff recommended the language in the attached ordinance, increasing the front yard lot coverage from 50% to 65% on smaller lots and from 35% to 40% on larger lots. This allows for driveways to be constructed on the lots around the lake that are sized for more modern vehicles, without needing to receive a variance.

The Planning Commission did not raise any concerns with this proposed amendment in their previous discussion. Staff is able to **recommend approval** of the proposed amendment at this time.

After the public hearing on this matter, the Planning Commission will be asked to make a recommendation to the Township Board on the proposed ordinance. The Township Board will take final action on the ordinance after this recommendation is received.

Attachments

1. Clean version of Ordinance 2022-03 – Lake Lansing Residential Overlay – Lot Coverage
2. Redlined version of Ordinance 2022-03 – Lake Lansing Residential Overlay – Lot Coverage

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ORDINANCE NO. 2022-03

AN ORDINANCE TO AMEND SECTION 86-442, LAKE LANSING RESIDENTIAL OVERLAY DISTRICT,
OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS
THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-442, Lake Lansing Residential Overlay District, is hereby amended at subsection (f)(9) to read as follows:

(9) Maximum driveway coverage.

- a. A driveway shall not occupy more than 65% of the total area of the front yard for residential lots that are less than 65 feet in width at the street line and created and recorded prior to October 5, 1960.
- b. A driveway shall not occupy more than 40% of the total area of the front yard for residential lots 65 feet or greater in width at the street line.
- c. A driveway shall not be permitted in the street right-of-way where the street has not been built.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk

ORDINANCE NO. 2022-04

AN ORDINANCE TO AMEND SECTION 86-442, LAKE LANSING RESIDENTIAL OVERLAY DISTRICT,
OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS
THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-442, Lake Lansing Residential Overlay District, is hereby amended at subsection (f)(9) to read as follows:

(9) Maximum driveway coverage.

- a. A driveway shall not occupy more than 5065% of the total area of the front yard for residential lots that are less than 65 feet in width at the street line and created and recorded prior to October 5, 1960, ~~and are less than 65 feet in width at the street line.~~
- b. A driveway shall not occupy more than 3540% of the total area of the front yard for residential lots 65 feet or greater in width at the street line.
- c. A driveway shall not be permitted in the street right-of-way where the street has not been built.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk



To: Members of the Planning Commission

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: March 10, 2022

Re: Text Amendment 2022-04 – Lake Lansing Residential Overlay District – Front Yard Building Setbacks

In January, Staff presented the initial concept behind modifying the front yard setbacks for the Lake Lansing Residential Overlay district. This has been a recurring variance request for several years and the Zoning Board of Appeals asked Staff to look into the issue and see if some modifications could be made to the standards to reduce the number of variances that were being submitted.

Staff is recommending language that would allow a homeowner to establish a lesser setback than the current standard of 20 feet, based on the average setbacks of the properties within 150 feet of the subject property. This ensures that the new construction will be somewhat consistent with the neighborhood, while still allowing some flexibility for the new construction. There is existing language in the ordinance that is similar to this approach, so this is not a 100% new concept to the Township. However, this ordinance is well tailored for the area around the lake, where the lot sizes, setbacks, and house sizes can vary wildly. The 20 foot standard will remain in place for those lots that can accommodate the setback and the homeowners still want a normal sized driveway.

The Planning Commission did not raise any major concerns with this proposed amendment in their previous discussion. Staff is able to **recommend approval** of the proposed amendment at this time.

After the public hearing on this matter, the Planning Commission will be asked to make a recommendation to the Township Board on the proposed ordinance. The Township Board will take final action on the ordinance after this recommendation is received.

Attachments

1. Clean version of Ordinance 2022-04 – Lake Lansing Residential Overlay – Front Yard Setbacks
2. Redlined version of Ordinance 2022-04 – Lake Lansing Residential Overlay – Front Yard Setbacks

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ORDINANCE NO. **2022-04**

AN ORDINANCE TO AMEND SECTION 86-442, LAKE LANSING RESIDENTIAL OVERLAY DISTRICT,
OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS
THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-442, Lake Lansing Residential Overlay District, is hereby amended at subsection (f)(5)a. to read as follows:

Front Yards. The front yard setback shall not be less than 20 feet from the street line, except that it may be reduced to the average front yard setback of the homes within 150 feet on the same side of the road.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this **XX**th day of **XXXXXXX**, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk

ORDINANCE NO. 2022-04

AN ORDINANCE TO AMEND SECTION 86-442, LAKE LANSING RESIDENTIAL OVERLAY DISTRICT,
OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS
THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-442, Lake Lansing Residential Overlay District, is hereby amended at subsection (f)(5)a. to read as follows:

Front Yards. The front yard setback shall not be less than 20 feet from the street line, except ~~for lots fronting on Lake Drive, East Lake Drive, West Lake Drive, or Marsh Road where the front yard setback shall be in accordance with the setback requirements of §86-367 that it may be reduced to the average front yard setback of the homes within 150 feet on the same side of the road.~~

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk



To: Members of the Planning Commission

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: March 10, 2022

Re: Text Amendment 2022-05 – Fence Heights

In January, Staff presented the initial concept behind modifying the fence height standards in the ordinance. The Zoning Board of Appeals had recently heard a case regarding the height of fences in the Industrial zoning district, which led to Staff reviewing the standards. In this review, we found multiple instances of fences in non-residential districts in excess of current ordinance requirements. Additionally, Staff has fielded several requests for screening in non-residential districts that would exceed six feet in height.

Staff is recommending the slight attached changes to the fence ordinance to allow some flexibility for screening/fencing in nonresidential settings. Things such as outdoor storage or generators may have additional screening requirements, beyond six feet and allowing such screening in the ordinance will encourage better design.

The Planning Commission did not raise any major concerns with this proposed amendment in their previous discussion. Since the last review, Staff has slightly altered the language in subsection (c) to flow better, but have not substantively changed the proposed language. Staff is able to **recommend approval** of the proposed amendment at this time.

After the public hearing on this matter, the Planning Commission will be asked to make a recommendation to the Township Board on the proposed ordinance. The Township Board will take final action on the ordinance after this recommendation is received.

Attachments

1. Clean version of Ordinance 2022-05 – Fence Height
2. Redlined version of Ordinance 2022-05 – Fence Height

ORDINANCE NO. 2022-05

AN ORDINANCE TO AMEND SECTION 86-506, MAXIMUM HEIGHT OF FENCES, WALLS, AND SCREENS, OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-506, Maximum height of fences, walls, and screens, is hereby amended to read as follows:

- (a) In any residential district, no fence, wall, or screen shall be erected higher than six feet.
- (b) In any nonresidential district, the height of a fence, wall, or screen may be increased to eight feet upon approval of the Director of Community Planning and Development.
- (c) The height of any fence, wall, or screen shall be measured from the ground upon which it sits to its highest point. Altering the existing grade, such as but not limited to mounding or terracing of land shall not be permitted to increase the height of the fence, wall, or screen, unless the combined height of such grading, mounding, or terracing together with the fence, wall, or screen meets the height standards of this section.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk

ORDINANCE NO. 2022-05

AN ORDINANCE TO AMEND SECTION 86-506, MAXIMUM HEIGHT OF FENCES, WALLS, AND SCREENS, OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-506, Maximum height of fences, walls, and screens, is hereby amended to read as follows:

(a) ~~In any residential district, No fence, wall, or screen shall be erected higher than six feet, as measured from the ground upon which it sits to its highest point. Altering the existing grade, such as but not limited to mounding or terracing of land shall not be permitted to increase the height of the fence, wall, or screen, unless the combined height of such grading, mounding, or terracing together with the fence, wall, or screen, is six feet or less above the ground upon which it sits.~~

(b) In any nonresidential district, the height of a fence, wall, or screen may be increased to eight feet upon approval of the Director of Community Planning and Development.

(c) The height of any fence, wall, or screen shall be measured from the ground upon which it sits to its highest point. Altering the existing grade, such as but not limited to mounding or terracing of land shall not be permitted to increase the height of the fence, wall, or screen, unless the combined height of such grading, mounding, or terracing together with the fence, wall, or screen meets the height standards of this section, is six feet or less

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

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Deborah Guthrie, Township Clerk



To: Members of the Planning Commission

**From: Timothy R. Schmitt, AICP
Director of Community Planning and Development**

Date: March 11, 2022

Re: Text Amendment 2022-06 – Yard Encroachments (Number of Decks/Patios)

In January, Staff presented the initial concept behind modifying the allowed yard encroachments to permit multiple decks or patios in the same yard. This issue has come up occasionally, often due to grade changes around a house and walk out designs of some rear yards. After review, Staff found no pressing reason to maintain the limitation on the number of patios or decks in a yard, as long as the setbacks are still being met. Therefore, Staff is recommending the attached change to eliminate the restriction of one porch in any yard.

The Planning Commission did not raise any major concerns with this proposed amendment in their previous discussion. Staff is able to **recommend approval** of the proposed amendment at this time.

After the public hearing on this matter, the Planning Commission will be asked to make a recommendation to the Township Board on the proposed ordinance. The Township Board will take final action on the ordinance after this recommendation is received.

Attachments

- 1. Clean version of Ordinance 2022-06 – Yard Encroachments Permitted
- 2. Redlined version of Ordinance 2022-06 – Yard Encroachments Permitted



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ORDINANCE NO. 2022-06

AN ORDINANCE TO AMEND SECTION 86-564, YARD ENCROACHMENTS PERMITTED, OF THE CHARTER TOWNSHIP OF MERIDIAN ZONING CODE TO UPDATE THE STANDARDS THEREIN

THE CHARTER TOWNSHIP OF MERIDIAN ORDAINS:

Section 1. Section 86-564, Yard Encroachments Permitted, is hereby amended at subsection (b) to eliminate subsection (b)(3) and to read as follows:

(b) Unenclosed porches. Roofed or unroofed porches may project into a required side or rear yard a distance not to exceed eight feet, provided:

(1) The porch is unenclosed, no higher than one story, and erected on piers.

(2) The porch shall not be closer than eight feet at any point to any side or rear lot line.

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this **XX**th day of **XXXXXXX**, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk

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(1) The porch is unenclosed, no higher than one story, and erected on piers.

(2) The porch shall not be closer than eight feet at any point to any side or rear lot line.

~~(3) That no building shall have more than one porch in any one yard.~~

Section 2. Validity and Severability. The provisions of this Ordinance are severable and the invalidity of any phrase, clause or part of this Ordinance shall not affect the validity or effectiveness of the remainder of the Ordinance.

Section 3. Repealer Clause. All ordinances or parts of ordinances in conflict therewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause. This Ordinance does not affect rights and duties matured, penalties that were incurred, and proceedings that were begun, before its effective date.

Section 5. Effective Date. This Ordinance shall be effective seven (7) days after its publication or upon such later date as may be required under Section 402 of the Michigan Zoning Enabling Act (MCL 125.3402) after filing of a notice of intent to file a petition for a referendum.

ADOPTED by the Charter Township of Meridian Board at its regular meeting this XXth day of XXXXXXX, 2022.

Patricia Herring Jackson, Township Supervisor

Deborah Guthrie, Township Clerk