

Banks Township

Public Hearings Zoning Ordinance Amendments

The Banks Township Planning Commission will hold a series of consecutive public hearings on the draft Zoning Ordinance text amendments on **Thursday, Jan. 17, 2002**, starting at 7:30 pm in the Banks Township Hall on Center Street in Ellsworth.

The amendments to the following Articles and Sections will be considered:

1. Article III: Definitions – definitions added, one deleted.
2. Article IV: General Provisions, Section 4.02.5 Nonconformities; Section 4.10 Animals
3. Article IV: General Provisions – Repeal of Section 4.06 Subdivision of Land; Repeal of Section 4.16 Groundwater Protection
4. Article IV: General Provisions, Section 4.23 Planned Unit Development, amendments to subsections 2a and 2b.
5. Article IV: General Provisions, add Section 4.24 Co-location on an Existing Tower or Structure.
6. Article VI: District Regulations amend to allow for co-location of antenna or similar on existing towers or structures as a permitted use in all districts; to allow for tree farms, truck crops and forestry as a permitted use in Village District, allow exception to district height limits for telecommunication towers in the Village District.
7. Article VI: District Regulations, Section 6.07 Manufacturing District, amend intent and renumber to allow co-location of antenna or similar on existing towers or structures as a permitted use.
8. Article VIII: Uses Subject to Special Approval and Supplemental Site Development Standards, Section 8.03 add subsection 13 Telecommunication tower or alternative tower structure.
9. Article IX: Administration and Enforcement of Ordinance, Section 9.02.1

All interested parties are invited to attend the hearings and comment on the proposed zoning ordinance amendments. For additional information, or to review the proposed ordinance amendments contact Donna Heeres, Banks Township Clerk at 588-6126.

BANKS TOWNSHIP PLANNING COMMISSION
PUBLIC HEARING MINUTES
January 17, 2002

CALL TO ORDER: 7:30 P.M. by Vice Chair Sue Kessler

PRESENT: Sue Kessler, Vice Chair, Marv Rubingh, Marion Williams, Nancy Ritsema

ABSENT: Rudy Passehl, chairman

PUBLIC PRESENT: Doris Pearl, Mary Campbell, Andrea Gerring

INTRODUCTION: Mary Campbell gave a brief overview of the Zoning Ordinance Amendments that were going to be discussed, and the proposed changes to be considered. Each of 9 Articles were presented as consecutive public hearings, for ease of procedure.

PUBLIC HEARING #1

Opened at 7:35

ARTICLE III: Definitions An Ordinance to amend the Banks Township Zoning Ordinance to add the definition of Alley, alternative tower structure, antenna, private driveway, road, private road, and public road in Article III; to delete the definition of road right-of-way in Article III. (full wording is attached as Attachment 1)

Public Comment was invited. Andrea Gerring asked if there was an underlying problem that led us to write an ordinance. There was some discussion that private roads can become an issue.

Mary Campbell provided comments received from the Township attorney's office, regarding the "private road" and "public roads" being covered by the 'road' definition. An additional comment was made that if private roads become an issue in the Township, the Planning Commission can consider adding a section to address private roads.

Closed at 7:38

A handwritten signature in dark ink, appearing to be a stylized 'S' or 'K'.

PUBLIC HEARING #2
Opened at 7:38 P.M.

ARTICLE IV: An ordinance to amend Section 4.02.5e of *Nonconformities*; and to amend Section 4.10 *Animals* of Banks Township Zoning Ordinance. (full wording is contained in Attachment #2)

PUBLIC COMMENT: Andrea Gerring asked what was the difference in the *Animal Section*, and whether there was something new. Clarification was given that this provision was modified to allow for the keeping of said animals on parcels of five (5) acres or greater in any district where agriculture is allowed. A comment was made that on small lots with too many animals, mistreatment of animals would be a concern, and another agency would be responsible.

Mary Campbell provided comments from the Township attorney suggesting an exception to the clause regarding allowing for non-conforming structures being allowed to be rebuilt, providing ... "no increase in square footage of the non-conforming structure" to allow for structures that do not meet the minimum standard size to be rebuilt larger, even if such still did not meet the minimum size standard to allow for a decrease in the non-conformity.

Closed at 7:47 P.M.

PUBLIC HEARING # 3
Opened at 7:49 P.M.

ARTICLE IV An ordinance to amend Article IV of the Banks Township Zoning Ordinance as follows: to repeal Section 4.06 *Subdivision of Land* in its entirety and reserve the number for future use; to repeal Section 4.16 *Groundwater Protection* in its entirety and reserve the number for future use.
(full wording in Attachment # 3)

No public comment

Closed at 7:50 P.M.

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PUBLIC HEARING # 4
Opened at 7:51 P.M.

ARTICLE IV An Ordinance to amend Section 4.23 *Planned Unit Development* to add new subsections 4.23.2a.2), 4.23.2a.3), and 4.23.2a.4) in the Banks Township Zoning Ordinance; amend subsection 4.23.2b.1) and 4.23.2b.2). (full wording contained in Attachment # 4)

No Public comment

Closed at 7:51 P.M.

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PUBLIC HEARING # 5
Opened at 7:52 P.M.

ARTICLE IV On Ordinance to amend Article IV: General Provisions to add a new Section 4.24 *Antenna Co-location on an existing tower or structure* in the Banks Township Zoning Ordinance. (Full wording contained in Attachment 5)

No Public Comment

Closed at 7:52 P.M.

PUBLIC HEARING # 6
Opened at 7:53 P.M.

ARTICLE VI An Ordinance to amend Article VI: District Regulations in Banks Township Zoning Ordinance to add co-location of antenna or similar sending/receiving device on an existing tower or structure as a permitted use and re-number home occupation, accessory buildings and uses as permitted uses in the following sections: Section 6.01.2; Section 6.02.2; Section 6.03.2; Section 6.04.2; Section 6.05.2; to add tree farms, truck crops and forestry as a permitted use in Section 6.06 *Village District*; to add co-location of antenna or similar sending/receiving device on an existing tower or structure as a permitted use in Section 6.06 *Village District*; to re-number home occupation, accessory buildings and uses as permitted uses in Section 6.06; add footnote j to Section 6.08 *Schedule of Regulations*.

No Public Comment

Closed at 7:53 P.M.

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PUBLIC HEARING # 7
Opened at 7:54 P.M.

ARTICLE VI An Ordinance to amend Article VI: District Regulations, Section 6.07 Manufacturing in Banks Township Zoning Ordinance (Full wording contained in Attachment # 7)

No Public Comment

Closed at 7:54 P.M.

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PUBLIC HEARING # 8
Opened at 7:56 P.M.

ARTICLE VIII An Ordinance to amend Article VIII: Uses Subject to Special Approval and Supplemental Site Development Standards of the Banks Township Zoning Ordinance, by adding a new subsection 13 to Section 8.03. (Full wording contained in Attachment #8)

Public Comment: Andrea Gerring wondered if provisions for towers are because there are so many already.

Closed at 7:58 P.m.

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PUBLIC HEARING # 9
Opened at 7:55 P.M.

ARTICLE IX An Ordinance to amend Article IX: Administration and Enforcement of the Ordinance, Section 9.02 Zoning Permit, subsection 1 in the Banks Township Zoning Ordinance. (Full Wording contained in Attachment 9)

No Public Comment

Closed at 8:00 P.M.

BANKS TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
January 17, 2002

PUBLIC HEARING officially closed at 8:05 P.M. by Vice Chair Sue Kessler

PRESENT: Sue Kessler, Vice Chair, Marv Rubingh, Marion Williams, Nancy Ritsema
ABSENT: Rudy Passehl, chairman

PUBLIC PRESENT: Doris Pearl, Mary Campbell,
At 8:05, Andrea Gerring left.
Jerroll Drenth and Wayne Boss arrived at 8:05 P.M.

MINUTES of December Meeting approved as read.

OLD BUSINESS:

MMS by Ritsema/William recommended that the Banks Township Planning Commission send the entire series of amendments to the Antrim County Planning Commission for their review and comment , with the possible exception of proposed amendment #8 (regarding telecommunication tower or alternative tower structure) pending additional comments from the Township attorney. MC

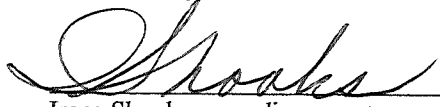
NEW BUSINESS:

Doris Pearl presented three applications for Zoning Permits. Two will require Public Hearings, to be held on February 14, 2002. The third is an application for a home-based business from Joe & Yvonne Nachazel.

A Preliminary Site Plan for Zoning Permit Application # PC 01 02 by Drenth Bros was present by Jerroll Drenth and Wayne Boss. All pertinent questions were dealt with. The presentation was excellent, and all 15 units proposed are in excess of minimum requirements. The purpose of the presentation was for conceptual approval from the Planning Commission, which was given.

All details for the Public Hearing will be addressed by the secretary.

Motion to adjourn at 9:05 P.M. Meeting Adjourned.


Irene Shooks, recording secretary