

**Homestead Inland Joint Planning Commission  
Special Meeting Inland Township Hall  
Bendon, Michigan  
1 July 2008 at 7:00pm  
Approved July 15, 2008**

Meeting called to order at 7:02pm.

Pledge of Allegiance recited.

Members Present: Bruce Andersen, Mary Miller, Bill Sholten, Fred Poynor, Roger Hubbell, Dan Moore, Jessica Wooten, and Sharon Peregoy.

Excused Absent: Christy Andersen, Zelda Gray.

Others Present: Cathy Demitroff, Roger Williams, and Glenn Puit.

Minutes from 17 June 2008: Mary Miller noted that Open Houses should be changed to Public Hearings. Bill Sholten made the motion to accept 17 June 2008 Minutes with corrections, Bruce Andersen seconded the motion, All Ayes, No Nays, 2 Absent, Motion Carried.

Correspondence: None.

Bills: Mary Miller made the motion to turn in Vouchers. Bill Sholten seconded the motion, All Ayes, No Nays, 2 Absent, Motion Carried.

#### Report of Township Board Representatives

Inland: Mary Miller stated that Inland Township Board approved the contract for Roger Williams. Mary Miller also stated that Inland Township Hall is in use on 29 July and that the Public Hearing should be moved to the 30 July.

Homestead: Cathy Demitroff stated that they had approved Roger Williams contract for Zoning Administrator last month. Nothing new to report.

Old Business: None.

New Business: Roger Williams stated that at the last meeting on 17 June 2008, he handed out a memo on changes Attorney Graham had recommended. The decisions of the Joint Planning Commission (JPC) are listed below. A complete list of recommendations is attached from the 17 June 2008 Meeting too.

1. Make mention of legal authority for a joint zoning ordinance as found in new legislation, Act 134. Reference check will be done to ensure the proper Act is used.
2. Section 1.04; Unclassified uses. This is the duty of the Board of Zoning Appeals, not the JPC. Recommendation to leave the first and last sentence of the second paragraph should be left and strike the text between the first sentence and last sentence of paragraph two.

The Following points 3-63 are definitions, 64-136 are General Provisions.

3. Section 2.01: Omit name of dictionary and use only the word Dictionary.
4. Section 2.02H: Add the definition of "person".

5. Section 2.02I: Provision should be stricken.
6. Adult Foster Care Home: JPC agreed not to change this and leave the provisions in the definition.
7. Assisted Living Establishment: Combine sentences into one.
8. Definition of average: Use suggested definition.
9. Add reference to Bed and Breakfast. Strike last sentence of definition.
10. Change language:
11. Rewrite and add text as recommended.
12. Change wording “complied with” to “met”.
13. Reference the current section of the Michigan Zoning Enabling Act, not 2004 Act.
14. Change Corner Lot to Lot, Corner. JPC agreed. See page 20 for lot definitions.
15. Refer to correct statute.
16. Add text “or parts of sections”.
17. JPC agreed not to make any changes.
18. Dwelling, two-family: JPC agreed to modify this definition.
19. Erected: JPC agreed to change the definition.
20. Essential services: JPC agreed to change wording and also to include wind energy conversion.
21. Family: JPC agreed to use recommended definition.
22. Farm: JPC decided to leave this in, see Agriculture.
23. Farming, general and agricultural use: JPC decided to leave this in, see Agriculture.
24. Farm Product: JPC decided to leave this in, reference to commercial basis, see Agriculture.
25. Flea Market, Open Air Market: JPC decided not to change this definition.
26. Government Parks: Parks are run by Municipality.
27. Ground Floor Area: Add text “Ground Floor”.
28. Hazardous Material: Delete “shall mean”.
29. High Water Mark: Add new definition to be “Ordinary High Water Mark”, JPC agreed.

30. Highway/right-of-way:
31. Home Business/ Home Occupation: Add “activity conducted on premises and or accessory building”, JPC agreed. Taking to Attorney for more clarification.
32. Home Occupation Sign: Should be “Home Business Sign”.
33. Hotel: Add text clarifying that it does not include “Boarding, Lodging, Rooming House, and is not a Bed and Breakfast Facility”.
34. Lake: Add definition of lake.
35. Lot: JPC agreed to use recommended definition of lot.
36. Lot Depth: This was a typo and has been corrected.
37. Lot Width: Text “front” added.
38. Mini-warehouse and Self-storage facility: Typo has been corrected.
39. Monument sign: Typo, has been corrected
40. Grade and Normal Grade: JPC decided to leave this in.
41. Offices: Omit “certain” from this definition.
42. Open Air Business: Change language of definition.
43. Open space: Grammatical error, this has been corrected.
44. Park: Omit this definition.
45. Place of Worship: JPC decided to leave this as is.
46. Planned Unit Development:
47. Club/Private Club: JPC decided to keep both definitions.
48. Public Sewer Systems: Omit “public sewer system shall be defined.
49. Roger Williams will speak with Attorney Graham about this.
50. Setback: Typo, this has been corrected.
51. Setback Line: Use text “lot line” to replace “property line”.
52. Short Term Rental: Omit “used as a home based business”.
53. Sign Height: Typo, this has been corrected.
54. Sign, Outdoor business or Informational: Typo, this has been corrected.

55. Sign Surface: Typo, this has been corrected. Also, add “an idea” in second line. Site Plan: Typo, this has been corrected.
56. Site Plan: Add driveways and fences.
57. Structure: Add text “Driveways, fences, or similar structures”.
58. Tourist Home/ Bed and Breakfast: Delete this definition.
59. Undeveloped State: Omit “agricultural use”.
60. Variance, Nonuse and Variance Use: Omit Nonuse and Use, use only Variance.
61. Wind Energy Conversion Systems (WECS): Typo, this has been corrected.
62. Yield Plan: refer to current Zoning Act.
63. Computer search definitions and terms. If they are not used in the text than they can be deleted.
64. Section 3.01: This is to be moved under 3.04 as a subsection and all numbers after 3.01 will be moved up a number.
65. Section 3.04: Use recommended language that gives new direction.
66. Section 3.04B: Roger Williams will contact Attorney Graham for further guidance.
67. Section 3.06B: Change “yard dimensions” to “setback requirements”.
68. Section 3.06D: Add text “a” after “excluding” in line 3.
69. Section 3.07: WECS should be exempt from essential services and placed with Telecommunication Towers.
70. Section 3.08: Change language to recommended language.
71. Section 3.09: Omit last sentence of the second paragraph.
72. Section 3.10: Typo, this has been corrected.
73. Section 3.11A: Change language to “the circumstances specified herein”.
74. Section 3.12A: Add “ordinary” to High water mark” in line 7.
75. Section 3.13: Home based businesses and short-term rentals should be in separate sections.
76. Section 3.13, A.2: This was taken care of in an earlier discussion.
77. Subsection C: Strike this definition due to redundancy.
78. Subsection D: Strike this definition due to redundancy.
79. Subsection E.4: Reword this using recommended language.

80. Section 3.14: Grammatical error. Has been changed.
81. Section 3.15: Should use subsection letters. Also there is no height limit. Check with DNR?
82. Section 3.17: Roger Williams will be checking with Attorney Graham on this.
83. Section 3.19: Combined paragraphs.
84. Section 3.20: Separate subsection letters should be used.
85. Section 3.20: Inset “not” before the word “greater” (last paragraph).
86. Section 3.21: Grammatical error. Has been corrected.
87. Section 3.21B: Change text to recommended text.
88. Section 3.21.B.1.a: Add text for clarification.
89. Section 3.21.B.1d: Roger Williams will check with Attorney Graham, it may be taken care of already.
90. Section 3.21.B.1.n: Begin subsection N with “ Except as provided in subsections O and P below”.
91. Section 3.21C: Add type regulations to deal with restraint issues unless moved to regulate under Zoning Administrator. JPC agreed. Roger Williams will ask Attorney Graham for text.
92. Section 3.21.C.4: Use reference to setback requirements.
93. Section 3.21.C.8: This has already been covered.
94. Section 3.21.C.11: Text needs to be cleaned up.
95. Section 3.21.C.12: Strike this subsection.
96. Section 3.22: Typo, this has been corrected.
97. Section 3.22.A.1: Change text to “the planning commission”.
98. Section 3.22.A.2: The first sentence in this subsection can be deleted.
99. Section 3.11.C.3: Add text “to minimize any adverse impact on adjoining properties”.
100. Section 3.22.D.g.1: Omit.
101. Section 3.22.D.g.2: Omit.
102. Section 3.22.D.g.2: Omit #2, and move to page 57, use A,B,C,D.
103. Section 3.23: Use recommended introductory sentence provided by Attorney Graham.
104. Section 3.23.F: Change to public or private road.

105. Section 3.23.K: Insert recommended wording at the end of this subsection.
106. Section 3.24.D: JPC decided to continue to use 25 Ft.
107. Section 3.25.I: Omit
108. Section 3.25.G.1.ff: Omit this subsection.
109. Section 3.23.G.2: Revise text to require the approval of the Township Attorney.
110. Section 3.23.P.4: Add recommended text to this subsection.
111. Section 3.25.S: Roger Williams will check with Attorney Graham and the Benzie County Road Commission.
112. Section 3.25: Change to Act 110.
113. Section 3.25.A: This has already been done.
114. Section 3.28.B.1: Keep this at 25 Ft.
115. Section 3.29: Add as a use allowed by right.
116. Section 3.30: Roger Williams will double check to ensure compliance.
117. Section 3.34.B.1: Yes this is the intention.
118. Section 3.34.C.1: Change the height requirement to 14 ft.
119. Section 3.34.D.8: Typo, this has been taken care of.
120. WECS: Set backs determine height.
121. Section 5.0.1: Typo, has been changed. FR-Forest Residential, RR-Rural Residential, R1-Single Family, MR-Mixed Residential, MH-Manufactured Housing, C1-General Commercial.
122. Section 5.0.2: Suggested text to be added.
123. Section 5.0.3: Suggested text to be added.
124. Section 5.0.4: Suggested text to be added.
125. Section 5.0.5.3d: Leave 50 feet set back for farm animals. However, Roger Williams will check to make sure there is no conflict with the Right To Farm Act.
126. Section 5.1.1: Typo, has been corrected, text added.
127. Section 5.1.2: Add text, introductory paragraph.
128. Section 5.2: Add text, changed headings.

129. Section 5.3: Add introductory text and uses permitted, uses by site plan approval, and uses by special use.
130. Section 5.4: Add additional text for uses permitted and regulations, otherwise no changes.
131. MH Zoned Parcel: Roger Williams will check on this.
132. Section 5.5: Typo, this has been corrected.
133. R-2 Residential: Non-consistency, this has been corrected.
134. Section 6.02: Non-consistency, reference "Joint Planning Commission", this has been corrected.
135. Section 6.04: Leave this as is.
136. Approval Procedures: Each Township Board will discuss how they want to handle this and the report will be given at the next Joint Planning Commission meeting.

Points 137-160 will be discussed at the next Joint Planning Commission meeting.

Open Public Discussion: None.

Board Go Round: None.

Mary Miller made the motion to adjourn, Bruce Andersen seconded the motion, All Ayes, No Nays, 2 Absent, Motion Carried.

Meeting adjourned at 9:48pm. Next Meeting is at Inland Township at 7:00pm, on 15 July 2008, to finish reviewing Zoning Ordinance changes.

Submitted by  
Sharon Peregoy  
JPC Recording Secretary  
Approved by  
Dan Moore  
JPC Secretary