



CHARTER TOWNSHIP OF PORT HURON

3800 Lapeer Road
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Special Planning Commission and Zoning Board of Appeals Meeting Agenda

Wednesday, April 24th 2019 at 7:00 pm
Special Workshop

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of Agenda
5. Correspondence
6. General Public Comment
 - a. Workshop regarding the Conversion of Condominiums found in Article IX Condominiums and Section 40-853 (d) Single-family Cluster Option.
7. New Business:
8. Reports/Information:
 - a. Planning Commission Report – Kirk Lavigne
 - b. Township Board Report – John Reno
 - c. Zoning Board of Appeals Report – Jerry Sebastian

Please be aware that in order to discuss any other items than those listed on the agenda, all members of the Planning Commission must be in attendance.

9. Adjournment





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MINUTES OF THE SPECIAL MEETING FOR THE CHARTER TOWNSHIP OF PORT HURON PLANNING COMMISSION & ZONING BOARD OF APPEALS HELD WEDNESDAY, APRIL 24, 2019, 7:00 P.M., TOWNSHIP HALL, 3800 LAPEER RD, PORT HURON, MI 48060

1. *Call to Order*

The Meeting was called to order by Chairman Jerry Sebastian at 7:00 P.M.

2. *Pledge of Allegiance*

3. *Roll Call*

Attended: Sheri Faust, John Houser, Trustee John Reno, Jerry Sebastian, Ivan Smith and Stephen Tetreau.

Absent: Mark Kovach.

Also Present: Building/Planning/Zoning Administrator Kirk Lavigne, Trustee William Livingston, Sara Grout and Recording Secretary Betty Child.

4. *Agenda Approval*

Motion by Member Smith, support by Member Tetreau, to approve the agenda. Trustee Reno commented the workshop was specific in naming the section to be addressed adding other sections may be included. Hearing no further comments, Chairman Sebastian called for a voice vote. All in favor, the agenda was approved with open discussion of additional sections.

5. *Correspondence*

There being no Correspondence, Chairman Sebastian moved to General Public Comment.

6. *General Public Comment*

There being no General Public Comment, Chairman Sebastian moved to New Business.

7. *New Business*

(a) *Workshop regarding the Conversion of Condominiums found in Article IX Condominiums and Section 40-853* (d) *Single-family Cluster Option*

In a memo from Kirk Lavigne per the Township Attorney a key item not found in the ordinances is Condominium conversions cannot be prohibited, however, are required to follow all requirements; was reluctant to have the ZBA look at any variances without the Condominium document structure; bonds would be required; and added in general condominium regulations are difficult to enforce without an active condominium board.

A brief summary of the Condominium approval process generally may have three (3) phases:

- Optional Tentative Review by the Planning Commission
- Preliminary Review by the Planning Commission and the Township Board
 - In the case of 'conditional approval', an additional ZBA Meeting would also be required.
- Final Review by the Planning Commission and the Township Board.

Comments from the Members included:

- Trustee Reno again commented the location is currently non-conforming and does not meet the criteria. The conversion request does not fall under the cluster option as the cluster option is addressed under

new construction. (As noted by comment from the Township Attorney, it was pointed out the Single Family Cluster Option, found in Sec 40-853, does allow for duplexes in the Single Family District and would require a Special Use Approval meeting and variances from the ZBA for such items as dimensional issues, setbacks, building height, lot coverage and parking.)

- Chairman Sebastian added a professional group or association should be in place to manage this type of development. The existing buildings should meet size requirements and meet fire code standards.
- Member Faust inquired if it was the role of the Planning Commission to enforce if a condominium board was not in place. She stated it was the responsibility for the Commission to look at what the criteria would be and not if it is financially feasible for the developer.
- Member Smith inquired as to which option the developer was looking for.
- Kirk Lavigne added if there is no association in place the individuals must take responsibility for upkeep. He further commented a better interpretation from the Township Attorney was required for these different options.
- Sara Grout, representative for developer, James Radatz, was on hand to discuss the items.

There was no action taken as this was a workshop session for discussion purposes and to obtain further interpretation from the Township Attorney.

8. Reports

(a) Planning/Building Administrator Report – Kirk Lavigne

- Nothing to report.

(b) Township Board Report – John Reno

- Reconstruction work at Michigan Road has begun to add a turn lane.

(c) Zoning Board of Appeals – Jerry Sebastian

- Nothing to report, meeting was cancelled.

Chairman Sebastian reminded the Members of the upcoming workshop on Monday, April 29, 2019.

9. Adjournment

Motion by Member Smith, support by Member Faust, at 8:29 P.M. to adjourn. Hearing no objections, Chairman Sebastian called for a voice vote. All in favor, the meeting was adjourned.

Submitted by Betty Child