

## **PLANNING COMMISSION MINUTES**

DATE: December 3, 2013

CALL TO ORDER: Chairman Jim Hawkins called the meeting to order 7:00 PM.

ROLL CALL: Members present – Steve Ryder, Tom Towne, Jim Hawkins, Mark Felton, and Marie Kelenske

Also Present: Township Supervisor Sue Hobbs

APPROVAL OF MINUTES:

Motion by Jim Hawkins, seconded by Mark Felton to approve the minutes of November 4, 2013. All Ayes, Motion Carried.

CITIZEN COMMENTS

There were none

NEW BUSINESS :

January meeting will be canceled unless we have something that comes up.

Meeting adjourned

Public Hearing opened by Jim Hawkins at 7:30 p.m. regarding the amending of the zoning ordinance to allow accessory buildings and recreational vehicles on vacant lots.

**BOYNE VALLEY TOWNSHIP**  
**Ordinance No. \_\_\_\_ of 2013**

AN ORDINANCE TO AMEND THE BOYNE VALLEY TOWNSHIP ZONING ORDINANCE TO ALLOW ACCESSORY BUILDINGS AND RECREATIONAL VEHICLES ON VACANT LOTS IN THE RURAL RESIDENTIAL DISTRICT (RR-1) AND IN THE AGRICULTURAL/FOREST DISTRICT (AF)

THE TOWNSHIP OF BOYNE VALLEY ORDAINS:

**Section 1. Amendment of Section 3.1.**

Section 3.1 of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following definition of "Recreational Vehicle," which shall read in its entirety as follows:

Recreational Vehicle: A vehicle primarily designed for temporary living quarters for recreational camping or travel use, which is either self-propelled, mounted on a vehicle which is self-propelled or is drawn by another vehicle which is self-propelled. A recreational vehicle includes, but is not limited to, terms of common reference such as a travel trailer, motor home, truck camper, pop-up camper, slide in camper or chassis mount camper. A recreational unit does not include a mobile home which meets definition and standards as defined under this ordinance, or regulations under Michigan's Mobile Home Commission Act being P.A. 1987, No. 96, as amended, as well as standards provided by the Department of Housing and Urban Development (HUD), as promulgated or amended.

**Section 2. Amendment of Article IV.**

Article IV of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following section, which shall read in its entirety as follows:

Section 4.26. – Accessory Building as Principal Use

An accessory building shall be allowed as the principal use of a lot in the Rural Residential (RR-1) and Agricultural/Forest (AF) districts, provided that all of the following applicable requirements are met:

1. The accessory building is devoted to a use that is accessory to a principal use authorized by right or by special use permit in the zoning district in which the lot under consideration is located.

2. If the accessory building will be used for storage, then the items stored in the accessory building are owned by the owner of the lot on which the accessory building is located; no commercial storage of any kind shall be allowed.
3. The accessory building is not used for dwelling, lodging, or sleeping purposes.
4. The accessory building is located on the lot under consideration in full compliance with all applicable setback requirements for the district in which the lot is located.
5. The accessory building complies with the height restrictions for accessory buildings for the district in which the lot is located.
6. The accessory building is located on the lot under consideration in such a location that a future development envelope is preserved on the lot within which a principal building or use may be constructed or established in full compliance with all applicable setback requirements for the district in which the lot is located. This requirement, however, shall not be applicable if the future development envelope for the principal building or use will be located on another lot as provided in subsection 7 below.
7. If the lot on which the accessory building is located does not have sufficient lot area for the future development envelope as required in subsection 6 above, then the accessory building may be constructed on the lot under consideration only if the owner of the lot owns another lot with sufficient lot area for the future development envelope that is either contiguous to the lot under consideration or is separated from the lot under consideration by a public or private road and the owner of the two lots records deed restrictions (or other legal instruments) acceptable to the township attorney with the county Register of Deeds Office requiring the two lots to be used and/or sold as one development site.

**Section 3. Amendment of Section 8.3.B.**

Section 8.3.B of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following subsection, which shall read in its entirety as follows:

17. Accessory buildings as the principal use, subject to Section 4.26.

**Section 4. Amendment of Section 8.3.I.**

Section 8.3.I of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following subsection, which shall read in its entirety as follows:

14. Recreational vehicles on vacant lots.

**Section 5. Amendment of Section 8.7.B.**

Section 8.7.B of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following subsection, which shall read in its entirety as follows:

12. Accessory buildings as the principal use, subject to Section 4.26.

**Section 6. Amendment of Section 8.7.C.**

Section 8.7.C of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following subsection, which shall read in its entirety as follows:

16. Recreational vehicles on vacant lots.

**Section 7. Amendment of Article XII.**

Article XII of the Boyne Valley Township Zoning Ordinance is hereby amended to add the following section, which shall read in its entirety as follows:

Section 12.2b – Additional Standards Applicable to Recreational Vehicles on Vacant Lots

In addition to the standards set forth in a particular zone and the standards set forth in Section 12.2 of this Ordinance, a recreational vehicle on a vacant lot must meet the following additional standards:

- A. No more than two (2) recreational vehicle shall be placed on the vacant lot at the same time.
- B. The recreational vehicles shall be located on the lot in full compliance with all applicable setback requirements for the district in which the lot is located.
- C. All recreational vehicles shall comply with all Charlevoix County Sanitary Code rules and regulations applicable to the use and occupancy of recreational vehicles outside of licensed campgrounds.
- D. Recreational vehicles shall be legally operable on the highways of the State of Michigan by virtue of having a current and valid registration and license plate as required by the Michigan Vehicle Code.
- E. The occupants of the recreational vehicles and/or their guest shall not create or maintain a nuisance for the surrounding properties or their occupants.

**Section 8. Validity.**

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

**Section 9. Effective Date.**

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

TOWNSHIP OF BOYNE VALLEY

By: \_\_\_\_\_  
Sue Hobbs, Supervisor

By: \_\_\_\_\_  
Lynn Sparks, Clerk

Motioned by Steve Ryder to approve new ordinance seconded by Tom Towne. Motion carried.

Sending ordinance to Township Board for their approval.

Public hearing closed at 7:40.

Regular meeting reopened at 7:45

Boyne Valley Trail possible grant upcoming.

Campground no update. Still waiting for Road Commission quote on road work.

**Master Plan** - Sue going to Village meeting to discuss the possibility of a regional master plan. Need to have community involved with the development of a master plan.

Phil Lewin property on Deer Lake Rd. not rezoned to RR1 no show for the request.

ADJOURNMENT: Motion by Jim Hawkins, seconded by Mark Felton to adjourn meeting at 8:00.

Submitted by Marie Kelenske, Secretary