



# DEXTER TOWNSHIP

## PLANNING COMMISSION

6880 DEXTER-PINCKNEY ROAD

DEXTER, MI 48130

TELEPHONE: 734-426-3767

FAX: 734-426-3833

[WWW.DEXTERTOWNSHIP.ORG](http://WWW.DEXTERTOWNSHIP.ORG)

## PLANNING COMMISSION MEETING AGENDA

February 28, 2024

6:00 PM

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**1. Call to Order**

**2. Pledge of Allegiance**

**3. Conflict of Interest Review** (*Possible conflicts with agenda items*)

**4. Approval of Agenda**

**5. Public Comment** (*Comment on items that are not on the agenda. The Board will entertain public comments on agenda items as they come up for discussion.*)

**6. Public Hearings**

**A.** *Public hearing to amend the title of Article 4 of the Zoning Ordinance from "Table of Regulations" to "Table of Uses."*

**B.** *Public hearing to amend Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits.*

**7. Action Items**

**A.** *Recommendation to Township Board on proposed Zoning Ordinance amendment to amend the title of Article 4 from "Table of Regulations" to "Table of Uses."*

**B.** *Recommendation to Township Board on proposed Zoning Ordinance amendment to Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits.*

**8. Discussion Items**

**A.** *Zoning Amendments regarding open air markets.*

**9. Approval of Planning Commission Minutes – January 23, 2024**

**10. Correspondence**

**11. Township Board of Trustees Update**

**12. Concerns of Planning Commission Members, Director of Planning & Zoning,  
Township Supervisor, & Recording Secretary**

**13. Public Comment** (*non-agenda items*)

**14. Future Agenda Items**

**15. Adjournment**



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## MEMORANDUM

**To:** Dexter Township Planning Commission

**From:** Megan Masson-Minock, Township Planning Consultant

**Subject:** Public hearing to amend the title of Article 4 of the Zoning Ordinance

**Date:** February 20, 2024

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The proposed zoning text amendment to amend the title of Article 4. Staff and consultants identified this amendment as a needed change in the Zoning Audit presented to the Planning Commission in November 2023. The Planning Commission examined language at its January 23, 2024 meeting, asked for changes, and directed staff to call a public hearing for the amendment for its meeting in February.

The Planning Commission may make a favorable or unfavorable recommendation of the attached text amendment, or a different version of the text amendment.

The decision criteria for a zoning text amendment, per Section 30.05(B) are:

- **Master Plan:** The zoning text amendment shall be compatible with the goals, policies, and future land use map of the Master Plan.
- **State and Federal Law:** The zoning text amendment shall be consistent with state and federal law.

Based on those standards, staff has prepared the motions on the following page for the Planning Commission's consideration. Please note that per Section 30.05(C) that at least four (4) members of the Planning Commission must vote in the affirmative for a favorable recommendation.

**Motion #1**

Based on the information provided by staff and during the public hearing held on February 28, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for the title of Article 4 of the Zoning Ordinance, specifically (PICK ONE: *text amendment attached*, *text amendment drafted by the Planning Commission after the public hearing*), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is compatible with the goals and policies of the Master Plan.
2. The zoning text amendment is consistent with state and federal law.

**Motion #2**

Based on the information provided by staff and during the public hearing held on January 23, 2023, the Planning Commission makes an unfavorable recommendation of the proposed text amendment for the title of Article 4 of the Zoning Ordinance, specifically (PICK ONE: *text amendment attached*, *text amendment drafted by the Planning Commission after the public hearing*), to the Township Board for the following reasons (select all that apply):

1. The zoning text amendment is not compatible with the goals and policies of the Master Plan.
2. The zoning text amendment is consistent with state and federal law.

**Motion #3**

Based on the information provided by staff and during the public hearing held on January 23, 2023, the Planning Commission postpones the proposed text amendment for the title of Article 4 of the Zoning Ordinance, specifically (PICK ONE: *text amendment attached*, *text amendment drafted by the Planning Commission after the public hearing*), to (INSERT DATE) for the following reasons (select all that apply):

1. The zoning text amendment application does not contain enough information necessary to conduct a review.
2. Additional information is necessary.
3. Significant changes are necessary to receive approval.

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the title of Article 4 from "Table of Regulations" to "Table of Uses."

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE TOWNSHIP OF DEXTER:

**SECTION 1. AMEND THE TITLE OF ARTICLE 4 TO READ AS FOLLOWS:**

Article 4  
Schedule of ~~Regulations~~ **Uses**

**SECTION 2. SEVERABILITY:** The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

**SECTION 3. PUBLICATION:** This ordinance shall be published in a newspaper of general circulation as required by law.

**SECTION 4. EFFECTIVE DATE:** This Ordinance shall become effective seven (7) days after its publication following final adoption or as required by law.

**SECTION 5. REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

I, <insert>, Clerk of the Dexter Township, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2024-\_\_\_\_ by the Dexter Township Board of Trustees assembled at a Regular Meeting held on \_\_\_\_\_.

The motion to approve was made by member \_\_\_\_\_ and seconded by \_\_\_\_\_

YES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

NO: None. \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Clerk Dexter Township

Published: \_\_\_\_\_



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## MEMORANDUM

**To:** Dexter Township Planning Commission

**From:** Megan Masson-Minock, Township Planning Consultant

**Subject:** Public hearing to amend Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance

**Date:** February 20, 2024

---

The proposed zoning text amendment to amend Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits. Staff and consultants identified this amendment as a needed change in the Zoning Audit presented to the Planning Commission in November 2023.

The Planning Commission examined language at its January 23, 2024 meeting, asked for changes, and directed staff to call a public hearing for the amendment for its meeting in February.

The Planning Commission may make a favorable or unfavorable recommendation of the attached text amendment, or a different version of the text amendment.

The decision criteria for a zoning text amendment, per Section 30.05(B) are:

- **Master Plan:** The zoning text amendment shall be compatible with the goals, policies, and future land use map of the Master Plan.
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**Motion #1**

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1. The zoning text amendment is compatible with the goals and policies of the Master Plan.
2. The zoning text amendment is consistent with state and federal law.

**Motion #2**

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1. The zoning text amendment is not compatible with the goals and policies of the Master Plan.

**Motion #3**

Based on the information provided by staff and during the public hearing held on January 23, 2023, the Planning Commission postpones the proposed text amendment for Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance, specifically (PICK ONE: *text amendment attached, text amendment drafted by the Planning Commission after the public hearing*), to (INSERT DATE) for the following reasons (select all that apply):

1. The zoning text amendment application does not contain enough information necessary to conduct a review.
2. Additional information is necessary.
3. Significant changes are necessary to receive approval.

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend Table 25.1 in Article 25, Section 25.03 of the Zoning Ordinance as to which structures, uses, or activities require zoning permits.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE TOWNSHIP OF DEXTER:

**SECTION 1. AMEND TABLE 25.1 IN ARTICLE 25, SECTION 25.03 OF THE ZONING ORDINANCE AS TO WHICH STRUCTURES, USES, OR ACTIVITIES REQUIRE ZONING PERMITS, TO READ AS FOLLOWS:**

STRUCTURE, USE, OR ACTIVITY <sup>(A)</sup>	PERMIT REQUIRED
Building, accessory- such as sheds, garages, pole barns, or gazebos	Zoning permit Required
Building, addition	Zoning permit Required
Building, new	Zoning permit Required
Building, temporary	Zoning permit Required
Commercial use, new	Zoning permit Required
Bus stop shelter	<del>Zoning permit Required</del> <b>No permit<sup>(B,C)</sup></b>
Deck, porch, patio	Zoning permit Required
<b>Demolition or razing of a building</b>	<b>Zoning permit Required</b>
Driveway or sidewalk, impervious	Zoning permit Required
Fence or retaining wall	Zoning permit Required
Driveway or sidewalk, pervious	No permit <sup>(B,C)</sup>
Fence, agricultural	No permit <sup>(B,C)</sup>
Flagpole, <del>27 feet high or less</del>	No permit <sup>(B,C)</sup>
Group day care home or group foster care home	Zoning permit Required
<del>Flagpole, more than 27 feet high</del> <b>All exterior lighting in non-residential districts</b>	Zoning permit Required
Generator or heat pump	Zoning permit Required
Home occupation	Zoning permit Required
Hunting blind	No permit <sup>(B,C)</sup>
Outdoor furnace	Zoning permit Required
Propane tank- more than 100-gallon capacity	Zoning permit Required
Play equipment, single-family or two-family	No permit <sup>(B,C)</sup>
Play equipment, multiple-unit or other	Zoning permit Required
Pool or hot tub	Zoning permit Required
Remodel, exterior- no increase to the building coverage, such as reroofing, siding, windows, and doors	<del>Zoning permit Required</del> <b>No permit<sup>(B,C)</sup></b>
Remodel, interior- structural changes but no increase of building coverage	<del>Zoning permit Required</del> <b>No permit<sup>(B,C)</sup></b>
Remodel, mechanical improvements, such as electrical, plumbing, furnace	No permit <sup>(B,C)</sup>
Roadside stand	Zoning permit Required



STRUCTURE, USE, OR ACTIVITY <sup>(A)</sup>	PERMIT REQUIRED
Satellite dish, antenna, ham radio	No permit <sup>(B,C)</sup>
Sign, permanent	Zoning permit Required
Sign, temporary	No permit <sup>(B,C)</sup>
Special event	Zoning permit Required
Temporary use	Zoning permit Required

**SECTION 2. SEVERABILITY:** The provisions of this Ordinance are hereby declared to be severable and if any provision, section or part of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall only affect the particular provisions, section or part involved in such decision and shall not affect or invalidate the remainder of such Ordinance, which shall continue in full force and effect.

**SECTION 3. PUBLICATION:** This ordinance shall be published in a newspaper of general circulation as required by law.

**SECTION 4. EFFECTIVE DATE:** This Ordinance shall become effective seven (7) days after its publication following final adoption or as required by law.

**SECTION 5. REPEAL:** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

I, <insert>, Clerk of the Dexter Township, County of Washtenaw, State of Michigan hereby certify adoption of Ordinance No. 2024-\_\_\_\_ by the Dexter Township Board of Trustees assembled at a Regular Meeting held on \_\_\_\_\_.

The motion to approve was made by member \_\_\_\_\_ and seconded by \_\_\_\_\_

YES: \_\_\_\_\_

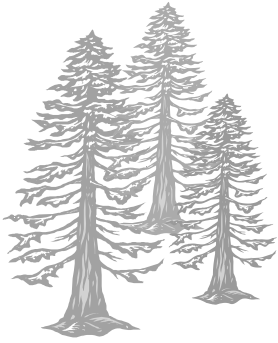
ABSENT: \_\_\_\_\_

NO: None. \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
Clerk Dexter Township

Published: \_\_\_\_\_



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## MEMORANDUM

**To:** Dexter Planning Commission

**From:** Megan Masson-Minock & Grayson Moore, Township Planning Consultants

**Subject:** Draft Zoning Amendments – Open Air Markets

**Date:** February 20, 2024

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Last spring, the Portage Lake Trading Post asked if a temporary open air market could occur at their site. The current zoning would not allow the type of use proposed. When CWA came on as consultants in October 2023, we were asked to examine this request and to look at the temporary use permits overall.

After reviewing the Zoning Ordinance, we propose adding open air markets to as accessory, temporary uses find attached draft Zoning Ordinance Amendments to allow Open Air Markets. We looked at zoning for similar uses in surrounding communities to draft the attached amendments. Please note the following:

- For open air markets, we included the following zoning districts General Commercial District (C), Agricultural District (AG), Recreation Conservation District (RC), Rural Residential (RR), Public Institute (PI), Public Recreation District (PR), and Common Use District (CU). These can be modified.
- The amendment proposes a duration for open air markets from May 1 through October 31. This duration can be adjusted.

We look forward to discussing these proposed Zoning Ordinance amendments at your next Planning Commission meeting. The next step in the process would be to make any changes and call a public hearing.



COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Commercial kennel	S								S
Commercial stable	P	S				P		P	
Commercial watercraft access ramp			S			S	S	S	S
Day care center	S	S				S			P
Driving range						P		S	P
Entrepreneurial kitchen	AS					AS	AP	AP	AP
Farm equipment sales and service of equipment	S								P
Food cart						S	P	P	P
Funeral home									P
Golf course or country club		S				S		S	
Health, fitness, or rehabilitation center									P
Junkyard									S
Landscape nursery and greenhouse, including sales of plant materials and supplies	P								P
Marina or yacht club			S			S		S	S
Medical office									P
Microbrewery or distillery									S
Motel or hotel									P
Motor vehicle sales									S
Motor vehicle service station or maintenance and repair									S
Outdoor dining area									S

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
<b>Open Air Market</b>	<b>AP</b>	<b>AP</b>			<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>	<b>AP</b>
Open air sales									S
Personal service establishment that performs services on site within a completely enclosed building									P
Professional office that performs services on site within a completely enclosed building									P
Recycling collection or transfer station							P	P	S
Retail businesses that supply commodities on the premises within a completely enclosed building, such as food, drugs, alcohol, furniture, clothing, dry goods, books, flowers, jewelry, or hardware									P
Roadside stand	P	P							P
Sales of new industrial and construction equipment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food and drink for onsite consumption, including an outdoor dining area									S
Sit-down restaurant or other establishment that serves food or drink for on-site consumption							S	S	
Sod farm									P
Special even facility	S	S				S			
Veterinary Clinic	P	S							P
Watercraft sales, repair, or storage			S			S			P

COMMERCIAL LAND USE	AG	RR	LR	MHR	CU	RC	PI	PR	C
Winery	S	S						S	P

**SECTION 3. MODIFY SECTION 5.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro and small
- Wireless communication facility, minor colocation

**SECTION 4. MODIFY SECTION 6.04 TO**

**INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory dwellings
- Home occupations
- Private stable
- **Open Air Markets**
- Accessory uses customarily incidental and subordinate to the permitted principal use
- Signs
- Solar energy systems designed exclusively for on premises consumption
- WECS, micro or small
- Wireless communication facility, minor colocation

**SECTION 5. MODIFY SECTION 9.03 TO BE DELETED SINCE IT IS THE SAME AS SECTION 9.04**

**Principal Permitted Uses**

The following are principal permitted uses in the District:

- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~
- ~~• Polling place~~

**SECTION 6. MODIFY SECTION 9.04 TO ELIMINATE DUPLICATE SECTION, REPLACE WITH ACCESSORY PERMITTED USES, AND INCLUDE OPEN AIR MARKETS**

**Principal Permitted Uses**

The following are principal permitted uses in the District:

- ~~• Common use access lot~~
- ~~• Outdoor athletic facility or similar recreation facility of an open space and low intensity nature~~
- ~~• Public park or playground~~
- ~~• Recreation site dedicated for a platted subdivision or site condominium~~

Text to be added is in red font: **example**

Text to be deleted is in strikeout font: ~~example~~

- ~~Polling place~~

### **Accessory Permitted Uses**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- **Open air markets**
- Signs
- Solar energy systems designed exclusively for on-premises consumption
- WECS, micro or small

## **SECTION 7. MODIFY SECTION 9.05 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH SPECIAL LAND USES**

### **~~Accessory Permitted Uses~~**

- ~~Accessory uses customarily incidental and subordinate to the permitted principal use~~
- ~~**Open air markets**~~
- ~~Signs~~
- ~~Solar energy systems designed exclusively for on-premises consumption~~
- ~~WECS, micro or small~~

### **Special Land Uses**

The following special land uses are permitted by special approval in the District:

- Reserved

## **SECTION 8. MODIFY SECTION 9.06 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH ACCESSORY SPECIAL LAND USES**

### **~~Special Land Uses~~**

~~The following special land uses are permitted by special approval in the District:~~

- ~~Reserved~~

### **Accessory Special Land Uses**

- Reserved.

## **SECTION 9. MODIFY SECTION 9.07 TO ELIMINATE DUPLICATE SECTION AND REPLACE WITH FOOTNOTES**

### **~~Accessory Special Land Uses~~**

- ~~Reserved.~~

### **Footnotes**

- 1) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:

Text to be added is in red font: example

Text to be deleted is in strikeout font: ~~example~~

- Bell Road
- Brand Road
- Colby Road
- Donner Road
- Fleming Road
- Huron River Drive (gravel portions only)
- Island Lake Road (gravel portions only)
- Lima Center Road
- Madden Road
- McGregor Road (paved road)
- Stinchfield Woods Road
- Quigley Road
- Riker Road
- McKinley Road
- Toma Road
- Waterloo Road
- Wylie Road

- 2) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:

- Dexter-Pinckney Road
- Dexter-Townhall Road
- North Territorial Road
- Hankerd Road
- Huron River Drive (paved portions only)
- Island Lake Road (paved portions only)
- Stofer Road

- 3) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:

- Silver Lake north residential area
- Argonne Drive
- Barrington Drive
- Edgewater Drive
- Plainview Drive
- South Rainbow Drive
- Fairway Drive
- Noah Court
- Hillsdale Drive
- Parkview Drive
- Noah Road
- Rainbow Drive
- Revere Drive
- Ridgemont Lane

## SECTION 10. MODIFY SECTION 9.08 TO ELIMINATE THE DUPLICATE SECTION

### Footnotes

- ~~4) 50-foot Road Setback: The required front yard setback is 50 feet for any yard abutting the following gravel (exceptions noted) roads, measured from the right-of-way or access easement:~~

- ~~• Bell Road~~
- ~~• Brand Road~~
- ~~• Colby Road~~
- ~~• Donner Road~~
- ~~• Fleming Road~~
- ~~• Huron River Drive (gravel portions only)~~
- ~~• Island Lake Road (gravel portions only)~~
- ~~• Lima Center Road~~
- ~~• Madden Road~~
- ~~• McGregor Road (paved road)~~
- ~~• McKinley Road~~
- ~~• Quigley Road~~
- ~~• Riker Road~~
- ~~• Stinchfield Woods Road~~
- ~~• Toma Road~~
- ~~• Waterloo Road~~
- ~~• Wylie Road~~

- ~~5) 80-foot Road Setback: The required front yard setback is 80 feet for any yard abutting the following paved roads, measured from the right-of-way or access easement:~~

- ~~• Dexter-Pinckney Road~~
- ~~• Dexter-Townhall Road~~
- ~~• North Territorial Road~~
- ~~• Hankerd Road~~
- ~~• Huron River Drive (paved portions only)~~
- ~~• Island Lake Road (paved portions only)~~
- ~~• Stofer Road~~

- ~~6) 25-foot Local and Private Road Setback. Exceptions, listed below, shall be set back 20 feet:~~

- ~~• Silver Lake north residential area~~
- ~~• Argonne Drive~~
- ~~• Barrington Drive~~
- ~~• Edgewater Drive~~
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- ~~• Fairway Drive~~
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- ~~• Hillsdale Drive~~
- ~~• Parkview Drive~~
- ~~• Noah Road~~
- ~~• Rainbow Drive~~
- ~~• Revere Drive~~
- ~~• Ridgemont Lane~~

Text to be added is in red font: **example**

Text to be deleted is in strikeout font: ~~example~~



**SECTION 11.   MODIFY SECTION 10.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Accessory uses customarily incidental and subordinate to the permitted principal use
- Accessory dwellings      • Signs
- Home occupations       • WECS, micro and small
- Private stable           • Wireless communication facility, minor colocation
- **Open Air Markets**       • Solar energy systems

**SECTION 7.    MODIFY SECTION 11.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen      • Solar energy system
- **Open Air Markets**         • WECS, micro or small
- Signs                         • Wireless communication facility, minor colocation

**SECTION 8.    MODIFY SECTION 12.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen      • Solar energy system
- **Open Air Markets**         • WECS, micro or small
- Signs                         • Wireless communication facility, minor colocation

**SECTION 9.    MODIFY SECTION 13.04 TO INCLUDE OPEN AIR MARKETS AS AN ACCESSORY PERMITTED USE**

- Entrepreneurial kitchen      • Solar energy systems
- **Open Air Markets**         • WECS, micro or small
- Signs                         • Wireless communication facility, minor colocation
- Accessory uses customarily incidental and subordinate to the permitted principal use

**SECTION 10.   MODIFY SECTION 16.33 TO INCLUDE OPEN AIR MARKETS**

**A.   The Following Location and Duration requirements shall apply:**

**Table 16.4: Temporary Structures and Uses**

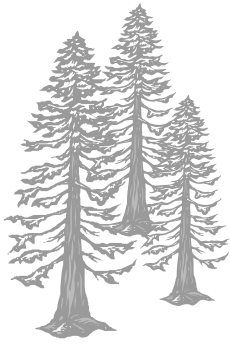
USE	ZONING DISTRICT	LOCATION	DURATION
Construction and Repairs	All	Principal building setbacks	6 months for repair; 12 months for construction

USE	ZONING DISTRICT	LOCATION	DURATION
<b>Schools and Religious Institutions</b>	All	Principal building setbacks	6 months
<b>Special Events</b>	All	n/a	7 days
<b>Real estate sales office</b>	All	Principal building setbacks	12 months
<b>Plant Sales</b>	C, AG, RC	Principal building setbacks	6 months
<b>Christmas Tree Sales</b>	C, AG, RC	Principal building setbacks	3 months
<b>Carnivals</b>	C, PI, PL	Principal building setbacks and at least 200 feet from dwelling units	May 1 through September 30
<b>Film Production</b>	All	n/a	3 months
<b>Cell on Wheels</b>	C, PI, PL	n/a	30 days
<b>Motor Home Parking</b>	LR	n/a	30 days
<b>Roadside Stand</b>	C, AG, RR	n/a	9 months per calendar year
<b>Open Air Markets</b>	C, AG, RC, RR, PI, PR, CU	35 feet from front lot lines and 20 feet from side lot lines	May 1 through October 31

**SECTION 11. MODIFY SECTION 17.03 TO INCLUDE OPEN AIR MARKETS AS SUB-SECTION (M)**

**(M) Open Air Markets:**

- 1) Hours of Operation:** The hours of operation for open air markets not located in commercial districts shall be limited to the hours between 7:00 am and 8:00 pm.
- 2) Signs:** Signs shall only be displayed 48 hours from the start of the day that the market is open.
- 3) Parking Regulations:** 1 space per 200 square feet of interior retail space and “open air” retail space under cover such as canopy or tent; plus 1 space per vendor



# DEXTER TOWNSHIP

## PLANNING COMMISSION

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MARTY STRAUB  
**CHAIR & ZBA REP.**  
BOB NESTER  
**VICE CHAIR**  
TOM LEWIS  
**SECRETARY**  
MARIS METZ  
**EX-OFFICIO TWP. BRD.**  
CHANDRA HURD  
CHRISTINA MAIER  
ALICIA ABBOTT  
**COMMISSIONERS**  
  
JANIS MILLER  
**RECORDING SECRETARY**

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### REGULAR MEETING OF THE PLANNING COMMISSION

#### Tuesday, January 24, 2024

Present: Marty Straub, Chairperson; Tom Lewis, Secretary; Chandra Hurd, Christina Maier, Alicia Abbott, and Maris Metz. Absent: Bob Nester.

Also present: Megan Masson-Minock, Planning Director. Absent: Janis Miller, Recording Secretary.

1. **Call to Order:** Chairperson Straub called the meeting to order at 6:00 PM. Chairperson Straub welcomed Board of Trustee Representative Trustee Gretchen Driskell to the Planning Commission.
2. **Pledge of Allegiance:** Recited by all.
3. **Conflict of Interest:** None.
4. **Approval of Agenda:** *With no changes or additions, Chairperson Straub deemed the agenda approve as presented.*
5. **Public Comment:** (non-agenda items) Opened 6:04 PM. No public comments.
6. **Public Hearings:**
  - A. **Public hearing to amend the decision criteria for variances in Article 29, Section 29.06(C) of the Zoning Ordinance.**  
Opened 6:05 PM.  
The wording change request is from the Zoning Board of Appeals as it was the wording in the previous Zoning Ordinance. It was stated as “The variance is the *reasonable* amount necessary to mitigate the practical difficulty”. The word was changed in the 2020 Zoning Ordinance and required the ZBA to decide on what the minimum is rather than what was reasonable. ZBA Chair Brook Smith stated that the ZBA strongly encourages the Planning Commission to adopt this change as they have been operating about three years with a variance provision that didn’t match what they previously did and was internally inconsistent. The township Attorney reviewed the language and could not find case law stating the word had to be minimum.  
Closed 6:10 PM.
  - B. **Public hearing to amend Table 16.3 in Article 16, Section of the Zoning Ordinance to increase the building coverage on parcels greater than 5 acres, zoned Rural Residential or Recreation Conservation or residential uses in the Agricultural Zoning District to 2%.**

Opened 6:10 PM.

The math in the current table does not make sense as when an applicant gets to more acreage, there is less lot coverage. Bradley Devries, Studio Architects, representing Cornman Farms and previously before the ZBA for a variance which was denied. He recapped that under the Zoning Ordinance that was in effect in 2013, Cornman Farms lot coverage would be capped at 10% plus additional for the acreage. He thinks that the requested amendment would be more consistent with the intent and spirit of the original ordinance and help Cornman Farms continue to operate as they are and to improve the property per the site plan the Planning Commission already approved. ZBA Chairperson Brook Smith is in support of the requested change to the Zoning Ordinance.

Closed 6:18 PM.

## 7. Action Items:

### A. Election of Chair, Vice-Chair, Secretary, and recommendation to the Township Board of the Planning Commission Representative to the Zoning Board of Appeals.

Motion by Maier to retain the current slate of officers (Chair, Marty Straub; Vice-Chair, Bob Nester; Secretary, Tom Lewis; and PC representative to the Zoning Board of Appeals, Marty Straub). Motion seconded by Driskell. All ayes. Motion carried.

### C. Recommendation to Township Board on proposed Zoning Ordinance amendment to Article 29, Section 29.06(C) to amend decision criteria for variances.

Discussion: The request from the ZBA is acceptable and is the result of an issue in real application for the ZBA. Question on whether it should be “a reasonable amount” or “the reasonable amount”. ZBA minutes of April 2023 indicated staff at that point felt that the consultant introduced it late in the game and didn’t have a lot of history of boards introducing it at that time [review of the new Zoning Ordinance]. The variance application [form] does not use the word minimum in the standard, and the meeting minutes of the ZBA for the approval has never used the word minimum in the past three years.

*Motion by Driskell (as framed by Planner Masson-Minock):*

*Based on the information provided by staff, and during the public hearing held on January 23, 2024, the Planning Commission makes a favorable recommendation of the proposed text amendment for Article 29, Section 29.06(C) of the Zoning Ordinance, specifically item “4. Reasonable Amount: The variance is the reasonable amount necessary to mitigate the practical difficulty”, and is recommended to the Township Board for the following reasons:*

- 1. The zoning text amendment is compatible with the goals and policies of the Master Plan.*
- 2. The zoning text amendment is consistent with state and federal law.*

*Motion seconded by Maier.*

*Roll Call Vote: Yeas - Hurd, Driskell, Lewis, Abbott, Maier, Straub; Nays - None; Absent - Nester. Motion carried 6-0.*

**D. Recommendation to Township Board on proposed Zoning Ordinance amendment to amend Table 16.3 in Article 16, Section of the Zoning Ordinance to increase the building coverage on parcels greater than 5 acres, zoned Rural Residential or Recreation Conservation or residential uses in the Agricultural Zoning District to 2%.**

Discussion: How the building coverage chart in the Zoning Ordinance was formulate to decrease building coverage on increased acreage.

Discussion: Table in Zoning Ordinance allows more square feet to a threshold and then less square feet. Planning Director Masson-Minock said she has rarely seen a table like this as most jurisdictions set a percentage of lot coverage. She offered the following options: 1) go with the Zoning Ordinance prior to 2020 which allowed 5% building coverage for Recreational Conservation and ten percent (10%) for Agriculture no matter how large the parcel; 2) just have a set percentage of lot coverage, 3) have a percentage for something greater than five acres and keep the table for those that are less than five acres, or 4) the PC could extend the current table, which could be unnecessarily complicated. Webster Township and Lyndon Township each allow twenty percent (20%) lot coverage. Chair Straub also suggested that the language “The Planning Commission may permit greater building coverage with a full site plan” be included in this section. Limiting building coverage in areas that the township wants to protect (conservation districts). When asked, Director of Planning suggested going back to the prior 2020 Zoning Ordinance that allowed ten percent (10%) in Rural Residential/residential use in Agriculture, and five percent (5%) in the Resource Conservation District. Currently impervious coverage is twenty percent (20%) for the Rural Residential and building lot coverage is per the table. Buildings that are for an agricultural purpose do not fall under the building code, per the Right to Farm Act, and cannot be regulated by the township.

***Motion by Maier (as articulated by Planner Masson-Minock):***

***Based on the information provided by staff and during the public hearing held on January 23, 2024, the Planning Commission makes a favorable recommendation [to the Township Board] of the proposed text amendment for Article 16, in Section 16.12 of the Zoning Ordinance, specifically deleting Table 16, and to be replaced with a building coverage maximum of ten percent (10%) in the Rural Residential, and Agricultural Zoning Districts, and five percent (5%) in the Resource Conservation Zoning Districts. Motion seconded by Hurd.***

***Motion amended for clarity:***

***The reasons are 1) the text amendment is compatible with the Master Plan and 2) The zoning text amendment is consistent with state and federal law. The Table is replaced with a building coverage not to exceed ten percent (10%) in the Rural Residential, and Agricultural Zoning Districts, and five percent (5%) in the Resource Conservation Zoning Districts. The term is Recreation Conservation Districts, not Resource Conservation Districts. Friendly amendment to state ten percent (10%) building coverage in the Rural Residential Zoning District, and ten percent (10%) building coverage for residential uses in the Agricultural District and five percent (5%) in the Resource Conservation Zoning District.. Maier and Hurd accept the amendment.***

***Roll Call Vote: Yeas – Hurd, Driskell, Lewis, Abbot, Maier, Straub; Nays - None;***

***Absent - Nester. Motion carried 6 - 0.***

*Documents regarding the agenda items can be obtained at the Township Hall during normal business hours, the Townships website: [www.dextertownship.org](http://www.dextertownship.org) and can be viewed on [ew.livestream.com/dextertownship.org](http://ew.livestream.com/dextertownship.org).*

***E. FSP24-PC-001: Final site plan for Cornman, LLC; Special Event Facility.***

Discussion: OHM recommended final site plan approval, and Carlisle Wortman recommended final site plan approval with a number of conditions. The fire department approved with a few things that had to be taken care of later. The applicant has complied with everything that was asked of them. Original request was for two-point five percent (2.5%) lot coverage which Cornman intends to keep in the final site plan. The requested lot coverage is covered by the proposed Zoning Ordinance amendment recommendation to the Township Board.

***Motion by Maier (as framed by Planner Masson-Minock)***

***Based on the information provided by the applicant, staff, CWA, OHM, and DAFD, the Planning Commission determines that FSP24-PC-001: Final site plan for Cornman, LLC, dated as revised on December 8, 2023, Special Event Facility meets the standards for final site plan approval and the amendment to the Special Land Use Resolution (13-PC-147). The Planning Commission approves the final site plan with the following conditions:***

- 1. The Zoning Ordinance is amended to allow at least two-point five percent (2.5%) building coverage on a lot greater than five (5) acres zoned Rural Residential.***
- 2. A maximum of seventy-five (75) people per event.***
- 3. Hours of operation will be 7AM to 11PM limited to 12 consecutive hours in one day.***
- 4. A temporary zoning permit, as outlined in §16.33 Temporary Structures and Uses, shall be required for each special event requiring a temporary structure or where the expected number of guests exceeds the maximum number of guests of 75 as described on an approved site plan.***
- 5. Approval of the gravel parking lot maintenance agreement by the Township Attorney.***
- 6. A signed gravel parking lot maintenance agreement is filed with the County Registrar of Deeds before issuance of any building permits.***
- 7. Approval by Dexter Area Fire Department.***
- 8. OHM Review dated December 14, 2023.***
- 9. CWA Review dated January 15, 2024.***

***Motion seconded by Driskell.***

***Roll Call Vote: Yeas – Hurd, Driskell, Lewis, Abbott, Maier, Straub; Nays - None; Absent-Nester. Motion carried 6-0.***

**8. Discussion Items:**

**A. Zoning Amendments**

Discussion: List provided by Director of Planning Massin-Minock, specifically the zoning permits and changing the schedule of regulations to schedule of uses. Recommended that the zoning permits be on the February Planning Commission agenda as staff asks for zoning permits for items such as interior remodels, exterior remodels that don't change footprint, and reroofing which created an extra level of burden for residents and an extra level of work for staff. The table Schedule of Regulations lists uses so it should be named Schedule of Uses. Another topic would be the Zoning Board of Appeals variances becoming final upon adoption of the minutes or adoption of a resolution which could delay permits due to the ZBA meeting in thirty days or longer. Director of Planning recommends any language

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proposed be reviewed by the township attorney. Built in quality control is that staff attends the ZBA meeting and knows what the ZBA approves so permits could be issued earlier than waiting for approval of the minutes. Planning Commission advises that the February agenda be a public hearing on zoning permits as presented with the addition that there is a zoning permit required for demolition/razing of a building and, also to change the text of title Schedule of Regulations to Schedule of Uses. Possibility of scheduling a working session on the second Tuesday of the month.

**9. Approval of Planning Commission Minutes:**

Discussion: Amendments by Chairperson Straub - page 4 top of page 5, inconsistency: motion "so moved" is awkward as elsewhere it is "motion by". Last page comments by Straub, change "The Board of Trustees needs to take this into consideration" to "request that the Board

of Trustees consider if we can move those two meetings that would conflict with Christmas Eve and the day after Memorial Day". Driskell will present it to the Board of Trustees that the Planning Commission is determining new dates. Language: The Planning Commission requests of the Board of Trustees to consider alternate days for those meetings. *Moved by Abbott, seconded by Maier, to approve the meeting minutes of November 28, 2023, as amended. All ayes. Motion carried.*

**10. Township Board of Trustee Update:**

Trustee Driskell stated that the Master Plan was adopted. She thanked everyone who worked on it. A Public Safety millage is coming up [on the February ballot] with an informational flyer mailed to the residents. The millage is a renewal with ballot language stating it was a new millage due to expiration in December 2023. In the loop trying to disseminate information to the community. She also is working on renewable energy legislation. The Board is working on the Budget. Also working toward a single hauler ordinance.

**11. Concerns of Commission Members, Director of Planning, and Recording Secretary:**

Director of Planning – Thanked everyone for their work on the agenda tonight.

Maier – Asked about the procedure of the revised Zoning Ordinance: placed on the website and does each Planning Commission member get a new copy of the Zoning Ordinance?

Director of Planning suggested that they get a whole section with the revisions.

Abbot – Liked how the packet was put together with the motions included.

Chairperson Straub – He would like to see the packets stapled together by agenda item.

Driskell – Suggests numbering each page and adding a blank page when the next item appears on the back of the previous agenda item.

Hurd – When reviewing a site plan, she would like full size, not paper size, site plans.

**12. Public Comment:** None.

**13. Future Agenda Items:**

A) Ordinance Amendments

**14. Adjournment:** Motion by Hurd, seconded by Abbott, to adjourn at 7:57PM.

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Respectfully submitted,

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Tom Lewis, Secretary

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Janis Miller, Recording Secretary





## OFFICE OF COMMUNITY DEVELOPMENT

3515 Broad Street, Dexter, Michigan 48130-1092

Phone: 734-580-2233 Fax 734-426-5614

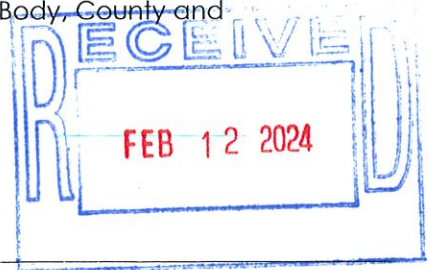
### NOTICE

**TO:** Contiguous Municipal Planning Commission or Legislative Body, County and Regional Planning, Public Utilities, and Railroad Company

**FROM:** City of Dexter Planning Commission

**DATE:** February 8, 2024

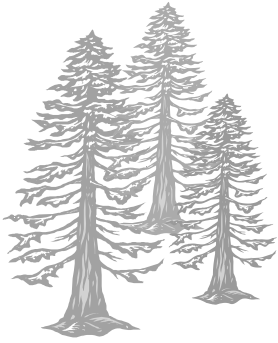
**RE:** **Intent to Amend Master Plan**



In accordance with the Michigan Planning Enabling Act (PA 33 of 2008 as amended), the City of Dexter is preparing an amendment to the existing Master Plan and requests your cooperation and comment on the Plan.

Please be aware that you will be receiving a draft of the amendment for comment in the near future. The Dexter Planning Commission intends to distribute the draft update by electronic mail (i.e. email), unless you object to the use of electronic mail. At the time the Master Plan amendment is ready for your review, you will be provided a second notice and directions on where to send comments and time limits for doing so.

We appreciate your consideration and cooperation in this matter. At this time, if you have any questions or comments on the City of Dexter Master Plan amendment process, please contact Michelle Aniol, Community Development Manager at [maniol@dextermi.gov](mailto:maniol@dextermi.gov) or 734.580.2233.



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*"A Community For All Seasons"*

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## MEMORANDUM

**To:** Dexter Township Board

**From:** Megan Masson-Minock, Township Planning Consultant  
Ashley Cepeda, Township Zoning Administrator

**Subject:** Planning and Zoning Department Report (January 2024)

**Date:** February 7, 2024

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The following Planning and Zoning Department report has been provided to the Dexter Township Board to provide an update on ongoing planning and zoning cases, ordinance amendments, and department activities. The staff is excited to report on the progress of existing development projects that have been reviewed by the PC, cases reviewed by the ZBA, and other duties, such as, zoning administration, ordinance review and future amendments, zoning permits, etc.

The following report will cover activities that have occurred **January 2024**, as well as an update on past projects:

- Planning Activities, including a summary of applications with the Planning Commission, Zoning Board of Appeals and/or Township Board.
- Zoning Administration, including zoning permits and projects that do not require Planning Commission review and approval.
- Zoning Ordinance, including summary and status of ordinance amendments.
- Planning and Zoning Department, including permits issued.
- Code Enforcement.
- Other Community Development Projects

The Planning Commission has established an Ordinance Review Committee to assist with ongoing zoning ordinance amendments. Participation from members of the Board of Trustees would be welcome.

Please let us know how this report can be improved. The Planning and Zoning Department will share an updated report with the Township Board on a monthly basis.

Planning Activities – PC, ZBA, Approved Projects		
Planning Commission – Site Plan, Special Land Use, Rezoning		
Name of Project	Location	Current Status and Progress
Cornman Farms Site Plan & Special Land use	8540 Island Lake Road	<p>The applicant submitted a special land, preliminary site plan, and variance request for the replacement of the tent at this special event facility with a building addition of a pavilion, the enclosure of a walkway, interior remodels of buildings on-site and the addition of an amphitheater. The additional buildings necessitate an amendment to the existing site and plan and special land use.</p> <p>A Planning Commission public hearing for special land use amendment and preliminary site plan was held on November 28, 2023. The Planning Commission approved both applications with conditions.</p> <p>The Planning Commission approved the final site plan with conditions on January 23, 2024.</p>

Zoning Board of Appeals – Variance (PBA), Interpretation, Appeal of Admin Decision		
Type of Request	Location	Current Status and Progress
Variance from building coverage	8540 Island Lake Road	<p>The proposed amendment to the special event venue's site plan and special land use, described above, exceeds the maximum building coverage. The case was heard at the December 5, 2023 Zoning Board of Appeals meeting and postponed until the ZBA January 2024 meeting, when the ZBA denied the variance. The Board felt that a zoning ordinance change was the more appropriate route since other larger properties in the Township had the same constraints due to the building coverage restrictions.</p>

Approved Projects		
Name of Project	Location	Current Status and Progress
Hillside Acres	Southwest corner of N. Territorial Rd. and Dexter Townhall Rd.	A pre-construction meeting with OHM, the Township, and Multi Lakes Water and Sewer Authority occurred in fall 2022. The mass grading and storm sewer installation is complete. Sanitary sewer installation is expected to be completed by mid to end of November. Contractor has indicated they plan to pave the asphalt road(s) before the cold weather hits (asphalt construction is weather-dependent). Home construction is expected to begin shortly after asphalt pavement is constructed. OHM estimates home construction will begin in early 2024. Per the applicant, the Washtenaw County Road Commission is extending their permit.
Nature's Preserve	11966 N. Territorial Rd.	The Natures Preserve open space community site condominiums went before the Township Planning Commission in April 2016. The final site plan for 20 homes was approved by OHM in October 2020. The applicant has yet to submit construction escrow, as well as provide the insurance and bonds that are required to schedule a pre-construction meeting. Planning & Zoning staff is researching the site plan status.

Zoning Ordinance (Adopted and Proposed)	
Adopted Amendment	Summary
	None
Proposed Amendment	Current Status and Progress
Section 29.06(C)(4) "Reasonable" versus "Minimum"	<p>The ZBA has requested the change from "minimum" to "reasonable" in this standard for a variance review to be reviewed. They would like direction/guidance on how to implement that language.</p> <p>At their November 28, 2023 meeting, the Planning Commission reviewed draft language. The Planning Commission held a public hearing and recommended zoning ordinance amendment language to the Township Board on January 23, 2024.</p>

Zoning Ordinance (Adopted and Proposed - continued)	
Proposed Amendment	Current Status and Progress
Table 16.3 in Article 16 Increase building coverage for parcels greater than 5 acres, zoned RR or RC or for residential uses in AG	<p>The Cornman Farms application brought up the inconsistency in the Zoning Ordinance that building coverage for parcels greater than 5 acres, zoned Rural Residential or Recreation Conservation or residential uses in the Agricultural Zoning District is capped at 11,543 square feet, while smaller parcels building coverage is a percentage (up to 5.3% for lots between 4.9 and 5 acres).</p> <p>The Planning Commission held a public hearing on January 23, 2024 meeting and recommended revised language as a zoning ordinance text amendment.</p>
Table 25.1 in Section 25.03 Amend what requires a zoning permit.	<p>On January 23, 2024, the Planning Commission reviewed recommendation by staff and the consultant to decrease the number of zoning permits required for the following reasons: the zoning permit is not required elsewhere in the Zoning Ordinance, the Chelsea Area Construction Agency has advised the Township that a zoning permit is not necessary, staff has found the permit requirement to be overly burdensome, or there is no corresponding regulation in the Zoning Ordinance to support the requirement.</p> <p>A public hearing will be held at the February 28, 2024 Planning Commission meeting.</p>
Article 4 Change title from "Table of Regulations" to "Table of Uses."	<p>On January 23, 2024, the Planning Commission reviewed recommendation by staff and the consultant to change the title of Article 4 from "Table of Regulations" to "Table of Uses" to reflect the nature of the regulations more accurately in that Article.</p> <p>A public hearing will be held at the February 28, 2024 Planning Commission meeting.</p>

Zoning Permits			
Permits Issued	January	YTD	2023
Zoning Minor	16	16	134
Zoning Major	3	3	79
Sign	0	0	1
Temporary	1	1	2
<b>TOTAL</b>	<b>20</b>	<b>20</b>	<b>216</b>

Code Enforcement			
Violation #	Address	Description	Status
E23-CE-0019	9122 McGregor Rd	Storage of Watercraft and Trailer	Ongoing
E23-CE-0016	8095 Stonehedge	Fences	Resolution Pending
E24-CE-0002	8051 Stonehedge	Storage of Watercraft and Trailer	Ongoing
E-23-0017	5721 Dexter Pinckney Rd	Storage of Junk	Resolution Pending

Other Planning and Zoning Projects	
	NONE

Thank you!