

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

**PLANNING COMMISSION MEETING**

DATE: OCTOBER 15, 2007

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

**MEMBERS OF PLANNING COMMISSION**

Mark J. Newman, Chair

Richard Buell

Jerome Doyle, Vice Chair

Ronald Flowers

Eric Swanson, Secretary

David Gibbs

Barry Pratt, Board of Trustee Representative

Jerald W. Fitch, Building Inspector

Julia A. Morford, Recording Secretary

**PRESENT:** Newman, Doyle, Swanson, Buell, Flowers, Gibbs, Pratt, Fitch, and Morford

**ABSENT:** None

**OTHERS PRESENT:** None

**I. MEETING CALLED TO ORDER** at 7:00 p.m. by Planning Commission Chair  
**MARK NEWMAN** with Roll Call and the Pledge to the American Flag.

**II. ADOPTION OF AGENDA: FLOWERS MOVED**, seconded by Doyle to adopt the  
Agenda as submitted. **MOTION CARRIED.**

**III. APPROVAL OF MINUTES OF SEPTEMBER 10, 2007: PRATT MOVED**,  
seconded by Doyle to approve the Minutes of September 10, 2007 as amended. **MOTION  
CARRIED.**

**IV. UNFINISHED BUSINESS:**

**1. Discussion on Townhouses v Duplexes**

**NEWMAN** stated that at the Planning Commission Meeting held on September 10, 2007, there had been a discussion regarding the difference between townhouses, duplexes, and condominiums. It was determined that Building Inspector **JERRY FITCH (FITCH)** would contact Flushing Township **ATTORNEY STEVE MOULTON (ATTORNEY MOULTON)** to obtain a better definition of each word.

A Memo was received from **ATTORNEY MOULTON** dated October 15, 2007 that clarified the difference between townhouse, duplex, and condominium. After a round table of opinions

and suggestions by the Planning Commission at the October 15, 2007 Planning Commission Meeting, it was determined to follow the proposed definitions received from **ATTORNEY MOULTON** as follows:

Townhouses and Duplexes will be located under “Special Uses Permits, Article XVIII”

**1. TOWNHOUSE:**

**Current Definition of townhouse as stated in Section 20-1803 (LL)**

“Shall consist of no more than four (4) single-family attached dwelling units, each individually owned, non-communicating, and attached by party walls; each unit shall have separate front and rear entrances and shall have separate sewer, water, and other utilities.”

**The current language will be deleted and replace with the following language:**

**Proposed language:** A dwelling structure designed and used as attached single family dwellings for 2, 3, but not more than 4 separate households. Except as provided below, each unit of the townhouse shall satisfy the requirements of this ordinance for a single (family) household dwelling. Each unit of the townhouse shall have a ground floor and shall have at least two (2) separate means of ingress and egress. There shall be no community doors or means of access directly from one unit to another. Each unit shall have: 1) its own driveway or access to a public road; 2) its own space for the parking of motor vehicles; 3) separately supplied and metered utilities; 4) separate well or municipal water connection; 5) separate septic system or municipal sanitary sewer connection. Each unit of the townhouse shall be separated from the other units by a wall or other construction with a minimum two (2) hour fire rating. The townhouse may be constructed with a 0 side lot, i.e., a common wall. Each unit within a townhouse may be owned separately, designated a separate parcel with a separate tax parcel identification number. Each unit shall include the real property immediately contiguous to the front and back of the unit with the side lot lines being the extension of the center of the common walls of the unit to the back and to the front lot lines. The side lots of the parcel on which the townhouse is located shall be part of the property of the corresponding end units of the townhouse.

## 2. DUPLEX:

### **The current language:**

“Lots for duplexes shall be at least 23,000 square feet and at least 120 feet wide if public water or sewer are not available and used. If public water and sewer are used, the lots may be a minimum of 13,200 square feet and 105 feet wide.”

### **Will be amended by attaching the current language to the end of the proposed language.**

**Proposed language:** Duplex is defined as a single dwelling structure designed and used for two (2) separate households. Each unit of the duplex shall satisfy the requirements of this ordinance for a single family dwelling, except that it shall be permissible for the units of the duplex to share a common driveway and utilities, including a common well or municipal water connection, a common septic system or municipal sanitary sewer connection, gas, and electricity. The two (2) units shall be separated by material having a minimum two (2) hour fire rating. Each unit of the duplex shall have a separate means of ingress and egress. The duplex and the lot on which the duplex is located shall be considered a single property with a single tax description. The units of a duplex may not be considered separate properties for tax or ownership purposes. **(Current language – Section 20-1803(P))** Lots for duplexes shall be at least 23,000 square feet and at least 120 feet wide if public water or sewer are not available and used. If public water and sewer are used, the lots may be a minimum of 13,200 square feet and 105 feet wide.

## 3. CONDOMINIUM:

**(Currently, a definition isn't listed under *Definitions Article II*.**

**Proposed language:** For purposes of this zoning ordinance, condominium means a condominium unit as defined by MCL 559.104 (3) or other property within a condominium project as defined in MCL 559.104 (1), which is subject to a master deed recorded with the Genesee County Register of Deeds in compliance with the Condominium Act, MCL 559.101, et seq.

### **SEQUENCE OF DATES FOR THE APPROVAL OF THE LANGUAGE OF TOWNHOUSE, DUPLEX, AND CONDOMINIUM:**

1. **November 5, 2007** – the Planning Commission will review the language and determine if there needs to be any amendments; and
2. If all language is approved by the Planning Commission, a Public Hearing will be scheduled; and
3. If there are no objections at the Public Hearing, there will be a recommendation for the Proposed Ordinance to go to the Flushing Township Board of Trustees for their approval.

**V. NEW BUSINESS:**

None

**VI. PUBLIC COMMENTS:**

**8:04 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS**

None

**8:05 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS**

**VII. BOARD COMMENTS:**

1. **DOYLE** felt the Planning Commission should have a method to keep track of the items that had been discussed so that when the time comes to update the Master Plan, it would be an easier process. In the past, one item at a time had been discussed and changed; as time went along, and when it got to the point when there was too much involved, Planner **DOUG PIGGOTT (PIGGOTT)** from Rowe Inc was called in to review and update the Planning Commission on the particular issue.

2. **SWANSON** stated he and **DOYLE** had attended the Genesee County Planning Commission Seminar that was held at the Mass Transit Office on Saturday, October 13, 2007. There were legislative updates from the State but one thing that was stressed was the joint meetings of neighboring municipalities. The point has come not “do you want to do it” but “the municipalities are going to have to do it” because a lot of the grants coming from the State will be tied to joint sessions of municipalities. The Planning Commission should start looking into what it would take, what are the responsibilities, and what really would be the issues so that when the joint matters do take place, Flushing Township would be ready for the issue. **SWANSON** felt if the Planning Commission was combined the following questions should be addressed: 1) what authority would the other municipality have, 2) would one of the Planning Commissions be eliminated, 3) or could this be the beginning of township government being eliminated. **DOYLE** felt the money from the State would not be available to the municipalities unless there was cooperation with the way the State wanted things done.

3. **FLOWERS** stated years ago there were “region” areas for transportation plans; Genesee County was in Region 5 and included Genesee, Shiawassee, and Lapeer counties. The region aspect was promoted throughout the whole State. Genesee County has the only Planning Commission. Per the Genesee County Metropolitan (Metro) Planning Commission, the

transportation planning for Genesee County and the Metro area is only seven (7) miles from the Detroit Metropolitan Planning Area.

4. **DOYLE** stated the issue of the Region Area Transportation Plan and Trail Systems in Michigan had been mentioned at the County Seminar on October 13, 2007.

5. **NEWMAN** reviewed the material received from the Flint River Watershed Coalition. **FITCH** stated it had been suggested that the Planning Commission take an active role in soil erosions and the site plan process. Currently, Genesee County issues permits for soil erosions and sediment control. Issues such as 1) having the ponds seeded before the rest of the development has been completed, 2) parking lot drains, 3) suggestions when an issue had come up about retention/detention, etc. should be kept in mind for the future. **FITCH** felt the Planning Commission could take more of an active role, not as a suggestion, but as a requirement. **DOYLE** stated when he builds homes and the homes have been constructed “down in a hole”, he still has to put a silt fence around his property because the neighboring property owners don’t want water or sludge going onto their property. If a drain or anything similar was installed, the area was supposed to be sodded and if there was a waterway that flowed out very fast, rock had to be placed in the waterway. When there was a steep slope in a ditch, there had to be small dams every so often so that water would flow down the slope and not erode the area. **FITCH** stated similar situations are very common along expressways where there are slopes. Currently, the situations would be left up to the Genesee County Drain Commission.

6. **BUELL** inquired about the decrease of building permits in the Building Department. **FITCH** stated in 2006 there were forty-five (45) new homes – in 2007 the number has been down considerable.

7. **GIBBS** stated the Genesee County Soil Conservation (Soil Conservation) would be able to help property owners with property questions and could direct as to what could/should be done. Money was available through the Soil Conservation Program for matters such as replacing tiles on property.

8. The next Planning Commission Meeting will be held on Monday, November 5, 2007 due to the Township Office being closed on Monday, November 12, 2007 for Veterans Day. **BUELL** will be out of town for the particular meeting.

**VIII. MEETING SCHEDULE:**

**REGULAR SCHEDULED MEETING – MONDAY, NOVEMBER 5, 2007 AT 7:00 P.M.**  
**REGULAR SCHEDULED MEETING – MONDAY, DECEMBER 10, 2007 AT 7:00 P.M.**

**IX. ADJOURNMENT:** There being no further business items on the Agenda, **CHAIR NEWMAN** adjourned the meeting at 8:30 p.m.

---

MARK J. NEWMAN, Chair

---

JULIA A. MORFORD, Recording Secretary

---

ERIC SWANSON, Secretary

---

Date of Approval

Planningminutes 101507