

CHARTER TOWNSHIP OF FLUSHING

6524 N. Seymour Road, Flushing, MI 48433

P (810) 659-0800 F (810) 659-4212

www.flushingtowship.com

PLANNING COMMISSION AGENDA FEBRUARY 10th, 2025 TIME: 6:00 P.M.

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Peivandi

Vice Chair – William Mills

Secretary – Amy Bolin

Board of Trustees Representative – Terry A. Peck

Jeanette Sizemore, Recording Secretary

Kyle Raup

Matt Strnad

Michael Moon

I. CALL THE MEETING TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

II. APPROVAL OF AGENDA

III. APPROVAL OF PREVIOUS MINUTES

January 13th, 2025

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY

Each speaker limited to three minutes

V. UNFINISHED BUSINESS

1. Discussion and possible motion on Chapter 19 Nuisances Article 3 Section 65 RV's –
Revise to allow front RV use with adjoining property permission for certain time periods
no storage or covers allowed
2. Discussion and possible motion on Chapter 36 Article 4 Section 400 Accessory
Structures - Allow in Front with certain frontage or lot depth
3. Discussion and possible motion on Chapter 36 Article 17 Signs – Update to comprehend
most recent United States Supreme Court Decision – Can only control Location, Size and
Lighting

VI. NEW BUSINESS

1. Discussion and possible motion to approve 2024 Planning Commission Report.

VII. PUBLIC COMMENTS

Each speaker limited to three minutes

VIII. ZONING ADMINISTRATOR COMMENTS

IX. COMMISSION COMMENTS

X. NEXT REGULAR SCHEDULED MEETING

MONDAY, MARCH 10TH, 2025 AT 6:00 P.M.

XI. ADJOURNMENT

CHRISTOPHER J. CZYZIO, Zoning Administrator

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PLANNING COMMISSION DRAFT MINUTES

JANUARY 13th, 2025

TIME: 6:00 P.M.

MEMBERS OF PLANNING COMMISSION

Chair – Vicki Peivandi

Vice Chair – William Mills

Secretary – Amy Bolin

Board of Trustees Representative – Terry A. Peck

Jeanette Sizemore, Recording Secretary

Kyle Raup

Matt Strnad

Michael Moon

- I. MEETING CALLED TO ORDER** at 6:00 P.M. by Planning Commission Chairperson Peivandi with Roll Call and Pledge of Allegiance to the American Flag.

ROLL CALL

PRESENT: Peivandi, Strnad, Raup and Peck

ABSENT: Moon, Mills and Bolin

OTHERS PRESENT: Seven (7) others were present.

II. APPROVAL OF AGENDA

TREASURER PECK MOVED, supported by Commissioner Raup to approve to agenda amending Old business before New business.

THE MOTION CARRIED.

III. APPROVAL OF PREVIOUS MINUTES

TREASURER PECK MOVED, supported by Commissioner Raup to approve the minutes of the December 9th, 2024 meeting amending Open to Unfinished Business time to 7:56 pm and adding Peivandi to item #1 under Unfinished Business Roll Call Vote Ayes.

After no discussion the following motion was made:

ACTION ON THE MOTION

ROLL CALL VOTE

AYES: Raup, Peivandi, Peck and Strnad

NAYS: None

ABSENT: Moon, Mills and Bolin

THE MOTION CARRIED.

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY

OPEN FOR PUBLIC COMMENTS 6:04 P.M.

No comments made.

CLOSED FOR PUBLIC COMMENTS 6:05 P.M.

VI. NEW BUSINESS

1. Discussion and possible motion on special Use Permit to allow a fence that is prohibited by the current Zoning Ordinance at 5221 N. Seymour Road, Parcel No. 08-22-300-004, pursuant to Flushing Township Code of Ordinances *Article XVIII Special Use Permits Chapter 36 Sec. 36-1800, and Fences, Walls, and Other Protective Barriers Chapter 36 Sec. 36-408 (m)*.

-Applicant explained his plans in depth of why and what he is doing if ok'd by the Planning Commissioners.

-Zoning Administrator had one anonymous violation complaint on applicant's fence.

-After landscaping is complete the fence will be 6ft with an additional 2 foot of lattice. This fence is in applicants' yard not on property line, and is meant to be more of a flower garden type landscape and is not obstructing surrounding view.

TREASURER PECK MOVED, supported by Commissioner Raup on special Use Permit to allow a fence that is prohibited by the current Zoning Ordinance at 5221 N. Seymour Road, Parcel No. 08-22-300-004, pursuant to Flushing Township Code of Ordinances *Article XVIII Special Use Permits Chapter 36 Sec. 36-1800, and Fences, Walls, and Other Protective Barriers Chapter 36 Sec. 36-408 (m)*

After very little discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peck, Strnad, Peivandi and Raup

NAYS: None

ABSENT: Bolin, Mills and Moon

THE MOTION CARRIED.

V. UNFINISHED BUSINESS

OPEN TO UNFINISHED BUSINESS: 6:26 PM

1. Discussion and possible motion on Chapter 19 Nuisances Article 3 Section 65 RV's –
Revise to allow front RV use with adjoining property permission for certain time periods
no storage or covers allowed

After some overview discussion on the last Planning Commission Meeting comments from commissioners on the following item.

- Everyone was opposed to written permission by neighbors.
- Rowe explained that you could control some of this with ordinances and code enforcement.
- And possibly taking out permission part of 100-foot setback.

Rowe provided attached document for discussion on possible changes.

Chapter 19 Nuisances Article 3 Section 65 RV's – Move to Chapter 36-319 Revise to allow front RV use with adjoining property permission for certain time periods no storage or covers allowed

Sec. 19-62. Definitions

Recreational vehicle means any vehicle which is not an automobile, truck, or other device primarily used for transport on public highways, including but not limited to, boats, motorhomes, travel trailers, recreational vehicle trailers, campers, truck toppers, ATVs, snowmobiles, jet skis, motorcycles, motor bikes, and motorized carts.

Sec. 36-200

Recreational vehicle means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.

Sec. 36-319. Temporary Travel Trailer, Recreational Vehicle, **ORV, ATV, Boat, Aircraft** Parking

(A) No person shall park, or cause to be parked, any travel trailer or other recreational vehicle over forty-eight (48) hours on any street, alley, highway or other public place or any site, lot, field or tract of land not specifically licensed as a travel trailer or recreational vehicle park without a Temporary Trailer Special Use Permit as outlined in Sec. 36-1803(C).

~~(B) No travel trailer or other recreational vehicle shall at any time be parked between the established setback line and the curb line on any lot.~~

Below is moved/taken from 19-65 (C)

~~(B) No owner, occupant or possessor of land within the Township shall keep or permit to be kept at any time on such land, any recreational vehicle, boat, ATV, ORV, trailer or Aircraft unless the recreational vehicle, boat, ATV, ORV, trailer or Aircraft is properly stored, as provided in this ordinance. In addition, a recreational vehicle, boat, ATV, ORV, golf cart, or Aircraft may be kept in the rear yard (as defined in 36-200 of the Charter Township of Flushing Zoning Ordinance) and only in the rear yard if the frontage of the property is less than 125 feet. If the frontage of the property is equal to or more than 125 feet, the recreational vehicle may be kept in the rear yard or the side yard as defined in the zoning ordinance. A recreational vehicle may be kept on a driveway in the front setback for a period of appropriate seasonal use starting April 1 thru October 31, provided, as located on the driveway, the recreational vehicle is a minimum of one hundred (100) feet from any window or door of any residence adjoining or across the street from the property where the vehicle is kept. The (100) foot setback does not apply if written permission is granted by all affected property owners within the said (100) foot. During the April 1 thru October 31 time period, a recreational vehicle cannot be in a "stored" condition including any RV cover or tarping while on the driveway. During the April 1 thru October 31 time period the RV sanitary sewer system may not be attached or connected to any external tanks, hoses or utilities. Any violation of Section 19-65-(C), 36-319 (B) as amended, shall be a misdemeanor punishable by fine not to exceed Five Hundred Dollars (\$500) and/or imprisonment not to exceed 90 days.~~

- (C) No travel trailer or other recreational vehicle shall be used or occupied unless there is a clear unoccupied space of at least ten (10) feet on all sides thereof.
- (D) No person shall park, or permit the parking on, any occupied travel trailer or other recreational vehicle, or use, occupy or permit the use or occupancy of any travel trailer or other recreational vehicle on any site, lot, field or tract of land not specifically licensed as a travel trailer or recreational vehicle park, except as otherwise provided in this chapter.
- (E) No person shall remove or cause to be removed the wheels or tires from any occupied travel trailer or other recreational vehicle, except for the purpose of repair, nor shall any person elevate, block, or stabilize any trailer or vehicle other than with jacks designed, provided, and intended for that purpose. No parked travel trailer or other recreational vehicle shall be occupied for sleeping purposes by a greater number of persons in any one (1) twenty-four-hour period than such vehicle is designed and arranged to accommodate at one (1) time.
- (F) No person shall spill or drain any waste water or liquid waste of any kind upon the surface of the ground or upon any paved area.
- (G) The township building Inspector shall have the authority to enter at any reasonable time any premises upon which a travel trailer or other recreational vehicle is parked, used, or occupied for the purpose of ascertaining that the owner, operator, or occupant thereof is complying with all the statutes, ordinances, and rules and regulations governing the same.
- (H) No permanent or movable accessory walled structure shall be attached to any trailer; and no trailer shall be parked in front on the setback line established by this ordinance.
- ~~(I) For those travel trailers and other recreational vehicles shall have properly designed and approved self-contained waste disposal and/or containment facilities, or shall have access to and unlimited use of the sanitary facilities of the dwelling located on the same zoning lot.~~

Definitions

Accessory Structure means a supplemental building, structure, or other construction (which may be part of the principal building, structure, or residence), located on the same lot, which is intended to remain in a fixed location on the lot and which is designed, occupied, or devoted to an accessory use. An accessory structure includes all components of the structure placed underground or suspended in the air. A satellite dish is an accessory structure for the purposes of the setback provisions of this Ordinance. Tower (communications tower) as defined in **Error! Reference source not found.** and the towers and related equipment associated with residential wind energy systems shall not be deemed accessory structures, but shall be subject to the specific requirements of **Error! Reference source not found.** and **Error! Reference source not found.** of this Ordinance. (Amended by adoption April 21, 2011, Sec. 20-200 Accessory Structure)

Accessory use means a use normally incidental to, or subordinate to and devoted exclusively to, the main use of the land, structure or building.

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad to request a clean copy of the suggested RV Ordinance revisions to Planning Commissioners at next meeting – Eliminating written permission sentence and adding in the definitions provided by Alex from Rowe Engineering and correct the word motive the motor.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peivandi, Raup, Peck and Strnad

NAYS: None

ABSENT: Moon, Bolin and Mills

THE MOTION CARRIED.

2. Discussion and possible motion on Chapter 36 Article 4 Section 400 Accessory Structures - Allow in Front with certain frontage or lot depth.

-After some discussion on wanting to evaluate each application case by case.

-How it would be hard to make an ordinance for every situation using code enforcement regulations as well.

Rowe provided attached document with comments for discussion on possible changes.

Sec. 36-400 Accessory Structures

- (A) Attached Accessory Structures. An accessory structure attached to the principal building on a lot shall be made structurally a part thereof, and shall comply with the yard requirement of this Ordinance applicable to principal buildings. The footings, foundation and all aspects of the accessory structure shall be to the same construction code requirements applicable to the principal structure.
- (B) Detached Accessory Structures. A detached accessory structure shall not be closer than five (5) feet from the rear lot line and ten (10) feet from the side lot lines, except as otherwise provided in this Ordinance. An accessory structure may be located in the side or rear yards only, and, unless a greater distance is required by other applicable law, code or regulation, shall not be closer than ten (10) feet to the principal structure-dwelling, or any other structure location on the property. ~~Residential lots that contain a principal dwelling with a front setback exceeding 450 feet will allow a detached accessory structure in the front setback as otherwise provided in this chapter.~~ The total square footage of the footprint of a lot zoned RSA and thirty (30%) percent of the square footage of a lot zoned RU-1 RSA, or located in the front yard unless permitted in the front yard by issuance of a discretionary special use permit pursuant to Section 20 36-1804(A) of this Ordinance. ~~It shall be unlawful to site a shipping container in a residential district, as depicted on the Townships Official Zoning Map.~~
- (C) Accessory Structure Without Principal Building. An accessory structure otherwise permissible under this ordinance may be located on a lot without a principal building, by issuance of a discretionary special use permit pursuant to Section 20 36-1804(A) of this Ordinance.
- (D) Temporary Accessory Structures. Temporary accessory structure is defined as a building or other structure which is not connected to water, septic, sewer, natural gas, propane, or any utility except electricity used only to light the temporary accessory structure; and, which is used solely for purposes of storage. No more than one temporary accessory structure, not exceeding, or exceeding two-hundred (200) square feet in area and ten (10) feet in height, may be placed in the rear or side yard of a residential lot, on which is located a principal dwelling, without permit. Placement of the temporary accessory structure shall be in accordance with the setback requirements of this Ordinance. Such temporary accessory structure may be moved on the lot, so long as the required set backs are maintained and may be removed from the lot and brought back without further permit. ~~Placement of a temporary accessory structure which exceeds two-hundred (200) square feet in area or ten (10) feet in height, or placement of more than one temporary structure on the same lot, shall require a permit to be issued by the local building official. It shall be unlawful to site a shipping container, non-metal roofed hoop building, hoop shelter, hoop structure, hoop shed or like fabric structure in a residential district, as depicted on the Townships Official Zoning Map. (find a way to allow greenhouses)~~ (Amended by Adoption April 21, 2011, Sec.20-400 Accessory Structures a-d) (Ord No. 2018-3 Adopted 12-3-2018)

Commented [AH1]: Recommend that all detached accessory structures maintain all setback requirements of side and rear and front lot.

Commented [AH2]: Detached accessory structures are permitted in the RSA district. Shall not exceed thirty (30%) of of the total rear lot. Permitted in the front yard by issuance of a special use permit pursuant to Section 20 36-1804(A) of this Ordinance.

For a front yard accessory structures in the front yard, what do you suggest the the minimum set backs? How large will you allow them? Are they larger than the principal home? Do we use percentage or a total maximum square foot?

Commented [AH3R2]: Additionally, my concern in the front lot is clear corner.

Commented [AH4]: I do not recommend allowing such a structure. Every lot has have one principal structure.

Commented [AH5]: should the definition be in definitions section?

Commented [AH6]: Should this be a separate sub section? Hoop buildings are used as greenhouses. Perhaps create greenhouses requirements and as permanent structures?

Definitions

Sec. 1-200. Definitions.

Add

SHIPPING CONTAINER. A large box, with or without a roof or a chassis and/or wheels underneath, designed primarily for shipping or hauling materials, but which is also suitable for storage of materials. Examples of such containers include intermodal freight containers, site boxes, pods, truck trailers when used for storage, roll-off dumpsters and similar containers.

Rowe alternatives:

Commented [AH7]: Alternative definitions below.

Cargo container (See also freight container) A standardized, reusable vessel that is or appears to be: (1) originally, specifically or formerly designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, or (2) designed for or capable of being mounted or moved on a rail car, or (3) designed for or capable of being mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Freight container. A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted and moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Add

Non-metal hoop/fabric structure/building definition

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad to have Zoning Administrator Mr. Czyzio and Alex from Rowe Engineering to update Chapter 36 Article 4 Section 400 Accessory Structures and bring to next meeting.

After no further discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Raup, Peck, Strnad and Peivandi

NAYS: None

ABSENT: Moon, Bolin and Mills

THE MOTION CARRIED.

3. Discussion and possible motion on Chapter 36 Article 4 Section 408 Fences – Allow privacy fence in front with adjoining property permission

There was discussion to leave as is and only bring up as case-by-case basis.

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad on Chapter 36 Article 4 Section 408 Fences to leave as is.

After no discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Raup, Peck, Strnad and Peivandi

NAYS: None

ABSENT: Bolin, Mills and Moon

THE MOTION CARRIED.

4. Discussion and possible motion on Chapter 36 Article 17 Signs – Update to comprehend most recent United States Supreme Court Decision – Can only control Location, Size and Lighting

-After some discussion about really needing outside source to read our Ordinance to make proper changes. And Alex from Rowe informed us he could do this.

-Would like update, with options brought to next meeting to go over

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad to have Flushing Township Zoning Administrator and Alex from Rowe Engineering to collectively review and provide possible revision of sign ordinance at a later date. Chapter 36 Article 17 Signs

After no more discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peck, Strnad, Peivandi and Raup

NAYS: None

ABSENT: Bolin, Mills and Moon

THE MOTION Carried.

CLOSED TO UNFINISHED BUSINESS: 7:24 PM

OPEN TO NEW BUSINESS ITEM #2: 7:24 PM

2. Discussion and possible motion to approve 2024 Planning Commission Report.

No report presented.

TREASURER PECK MOVED, supported by Commissioner Strnad to move this item to next months meeting so everyone has a chance to receive a copy and evaluate the 2024 Report.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peivandi, Strnad, Raup and Peck

NAYS: None

ABSENT: Moon, Mills and Bolin

THE MOTION Carried.

VII. PUBLIC COMMENTS

OPEN FOR COMMENTS: 7:26 P.M.

Township property owner raised concerns on building a home on their property with neighboring property being zoned for Residential Urban (RU-4).

CLOSED FOR COMMENTS: 7:29 P.M.

VIII. ZONING ADMINISTRATOR COMMENTS

MR. CZYZIO –

- Thanked Commissioner for all their hard work.
- Valero Station is now Sunoco.

IX. COMMISSION COMMENTS

- Commissioner Strnad was welcomed and praised for a job well done.
- Zoning Administrator was thanked for all his hard work. He has been busy for months and doing a great job.

X. NEXT REGULAR SCHEDULED MEETING

MONDAY, February 10TH, 2025 AT 6:00 P.M.

XI. ADJOURNMENT

With no further business, the meeting adjourned at 7:37 P.M.

VICKI PEIVANDI, Chairperson

AMY BOLIN, Secretary

February 10th, 2025
Date of Approval

Jeanette Sizemore, Recording Secretary

DRAFT

DRAFT

Sec. 19-65. Storage of junk motor vehicles (automobiles) restricted.

- (A) Except as provided below, no junk motor vehicle (automobile) shall be kept for any period of thirty (30) days or longer upon any premises within the township, which premises are not a licensed junk yard of which premises are not a public motor vehicle repair garage regularly used and occupied, as a legal commercial public motor vehicle repair garage.
- (B) This section shall not prohibit the keeping of farm tractors or other motorized farm equipment upon any farm on which such tractor or farm equipment is regularly used for farming operations nor shall it prohibit the keeping of motorized construction equipment upon commercial premises legally devoted to such construction business if such construction equipment is regularly used or in a usable condition.
- (C) ~~This section shall not prohibit the keeping or storage of junk motor vehicles provided same are kept and stored within a completely enclosed building. No owner, occupant or possessor of land within the Township shall keep or permit to be kept at any time on such land, any recreational vehicle unless the recreational vehicle is properly stored, as provided in this ordinance Sec. 36.319. In addition, a recreational vehicle may be kept in the rear yard (as defined in Sec. 36-200 of the Charter Township of Flushing Zoning Ordinance) and only in the rear yard if the frontage of the property is less than 125 feet. If the frontage of the property is equal to or more than 125 feet, the recreational vehicle may be kept in the rear yard or the side yard as defined in the zoning ordinance. A recreational vehicle may be kept on a driveway for a period of appropriate seasonal use, provided, as located on the driveway, the recreational vehicle is a minimum of one hundred (100) feet from any window or door of any residence adjoining or across the street from the property where the vehicle is kept. Any violation of Section 19-65 (C), as amended, shall be a misdemeanor punishable by fine not to exceed Five Hundred Dollars (\$500) and/or imprisonment not to exceed 90 days.~~
- (D) The owner, occupant or possessor of land within the township may keep and store no more than four (4) junk motor vehicles (automobiles) upon the following conditions:
1. *The owner, occupant or possessor of the land on which the junk vehicles (automobiles) are stored intends to repair or restore same or to use all or part of the stored junk vehicles (automobiles) in the repair or restoration of other vehicles (automobiles).*
 2. *The issuance of a permit by the township police department setting forth that the junk vehicles (automobiles), as described in the permit, may be stored within an area enclosed by a six-foot high privacy fence, which prevents the junk motor vehicles (automobiles) from being visible outside the storage area.*
 3. **Note-Fence construction requires permit from the building department.**

4. *The storage area shall consist of an area no larger than eight hundred (800) square feet, located in the back yard of the premises and located a minimum of twenty-five (25) feet from the back lot line and each side lot line of the premises.*
5. *Requests for a permit shall be submitted annually in writing to the police department and shall include the applicant's name, address and telephone number, and proof of ownership; a description of the junk motor vehicles (automobiles) to be stored including VIN number; the address of the premises where the junk motor vehicles are to be stored and a diagram of the specific area on the premises where the junk motor vehicles are to be stored; and a statement as to the intended final disposition of each junk motor vehicle. A non-refundable application fee established by the Township Board shall be paid to the township police department when the application is submitted. Fees shall be payable to the Township or its authorized agent. A schedule of fees as approved by the Township Board shall be maintained on file at the Township offices.*
6. *Upon receipt of the application, the township police department shall review the application and inspect the premises and storage area and, if the police department finds the junk motor vehicles to be stored within the proposed storage area will not be visible from the outside of the storage area and that the storage of the junk motor vehicles will not pose a threat to the public health, safety and welfare, the township police department may issue a permit. The permit shall be good for a period of one (1) year. The permit may be renewed at the discretion of the police chief, but only, if reasonable progress toward the repair or restoration of the junk motor vehicles was made during the period of the prior permit.*

(Ord. No. 54, § IV; 9-28-89; Ord. No. 54-D, 1-13-94)

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Sec. 36-200. Definitions.

Recreational vehicle means a vehicular type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home, means any vehicle designed to be used primarily for recreational purposes to move one or more persons over the ground, air, water, ice or snow, and which is either self-propelled or connects to a vehicle which is self-propelled, including, but not limited to, house trailers, recreational trailers, trailer coaches, campers, fifth wheels, pickup campers, motor homes, folding tent trailers, boats and boat trailers, golf carts, all-terrain vehicles, off-road recreational vehicles, aircraft; provided, however, that any such vehicle or unit which is 40 feet or more in overall length and connected to water or sewer facilities shall be considered a mobile home and shall be subject to all regulations of all ordinances applicable to a mobile home.

Sec. 36-318. Temporary Dwelling Structure, Fixed or Movable

No temporary structure, whether of a fixed or movable nature, may be erected, altered, or moved upon any premise and used for dwelling purposes, unless approved by issuance of a non-discretionary special use permit by the Zoning Administrator as elsewhere provided.

The temporary structure shall have properly designed and approved self-contained waste disposal and/or containment facilities or shall have access to and unlimited use of the sanitary facilities of the dwelling located on the same zoning lot.

Sec. 36.319 ~~Temporary Travel Trailer or Recreational Vehicle~~ Temporary Parking and Storage

(A) No person shall park, or cause to be parked, any travel trailer or other recreational vehicle over forty-eight (48) hours on any public right of way, street, alley, highway or other public place or any site, lot, field or tract of land not specifically licensed as a travel trailer or recreational vehicle park without a Temporary Trailer Special Use Permit as outlined in Error! Reference source not found, Sec. 36-1803(C).

~~(B) No travel trailer or other recreational vehicle shall at any time be parked between the established setback line and the curb line on any lot.~~

(C) Storage of a recreational vehicle:

a. For residential lots less than 125 feet wide, a recreational vehicle may be parked or stored in the rear yard, while meeting detached accessory structures setback requirements.

b. For residential lots than exceed 125 feet wide, a recreational vehicle may be parked or stored in a rear yard or side yard while meeting detached accessory structures setback requirements. The recreational vehicle shall be located to the rear of the front wall of the principal building.

c. On a corner lot, the front yard is considered to be both yards facing a public street.

(D) Temporary parking of a recreational vehicle:

a. A recreational vehicle may be parked in any driveway on a residential lot for the purpose of loading or unloading the vehicle or for general maintenance of the vehicle not to exceed 72 hours.

Commented [AB1]: WHAT THEY WANT:

Chapter 19 Nuisances Article 3 Section 65 RV's – Move to Chapter 36-319 Revise to allow front RV use with adjoining property permission for certain time periods no storage or covers allowed

I had sent you my proposed changes that will be shared with the Planning Commission.

This is one of the largest issues that the Township receives resident complaints about. The vast majority of Flushing Township is zoned RSA, including all subdivisions, making it difficult for the ordinance to cover all types of properties from small to large as one size fits all. Currently this topic is covered in our Nuisance section and probably should be moved into the zoning section. We would like to allow our residents flexibility during the summer months while excluding any storage in the front setback. We also need better clarification with regard to boat, ATV, ORV, golf cart, trailer or Aircraft storage, this is also a top complaint of residents. The Planning Commission requested that Rowe Professional Services provide a review and recommendations for revisions per the attached file. Of the four requested reviews, this would be priority number 1.

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b. Parking of a recreational vehicle for longer than 72 hours between April 1st and October 31st shall require the written agreement of all adjacent property owners or the recreational vehicle shall be a minimum of one hundred (100) feet from any window or door of any residence adjoining or across the street from the property ere the vehicle is parked. The recreational vehicle cannot be in a "stored" condition, including a cover or tarping.

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c. The temporary storage of a recreational vehicle not obstruct the passage of a sidewalk.

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~~(B)~~

~~(C)~~(E) No travel trailer or other recreational vehicle shall be used or occupied unless there is a clear unoccupied space of at least ten (10) feet on all sides thereof.

Commented [AB2]: Do they want people occupying RVs?

~~(D)~~(F) No person shall park, or permit the parking on, any occupied travel trailer or other recreational vehicle, or use, occupy or permit the use or occupancy of any travel trailer or other recreational vehicle on any site, lot, field or tract of land not specifically licensed as a travel trailer or recreational vehicle park, except as otherwise provided in this chapter.

(G) No person shall remove or cause to be removed the wheels or tires from any occupied travel trailer or other recreational vehicle, except for the purpose of repair, nor shall any person elevate, block, or stabilize any trailer or vehicle other than with jacks designed, provided, and intended for that purpose.

Commented [AB3]: What are they trying to say here??

Are they trying to prohibit the parking of rec vehicles on vacant parcels??

I'm not sure this is necessary.

~~(E)~~(H) No parked travel trailer or other recreational vehicle shall be occupied for sleeping purposes by a greater number of persons in any one (1) twenty-four-hour period than such vehicle is designed and arranged to accommodate at one (1) time.

Commented [AB4]: Do they want to allow people to sleep in RVs?

~~(F)~~(I) No person shall spill or drain any waste water or liquid waste of any kind upon the surface of the ground or upon any paved area.

Sec 36.318 covers Temporary Dwelling Structure and approval of such?

~~(G)~~(J) The township building inspector shall have the authority to enter at any reasonable time any premises upon which a ~~travel trailer or other~~ recreational vehicle is parked, used, or occupied for the purpose of ascertaining that the owner, operator, or occupant thereof is complying with all the statutes, ordinances, and rules and regulations governing the same.

Commented [AB5]: Again do they want them occupied??

~~(H)~~(K) No permanent or movable accessory walled structure shall be attached to any trailer; ~~and no trailer shall be parked in front on the setback line established by this ordinance.~~

~~(I)~~ For those travel trailers and other recreational vehicles shall have properly designed and approved self-contained waste disposal and/or containment facilities, or shall have access to and unlimited use of the sanitary facilities of the dwelling located on the same zoning lot.

Commented [AB6]: moved up under 36.318.

Sec. 36-320. Miscellaneous Temporary Uses

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(A) Nothing in this chapter shall prevent the use of a travel trailer, or mobile home, or other similar structure, in any district as a temporary construction field office as an accessory use for a period not to exceed the period of construction; provided, however, such structure is not used for overnight sleeping accommodations and adequate arrangements for sanitary facilities are made and provided further, that the temporary field office has been certified as such and conforming to this chapter by the building inspector.

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Sec. 36-413. Storage in Front Yard

Nothing in this chapter shall permit the storage or parking of any vehicle or non permanent structure within the required front yard of any lot within a residential district, except that the

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| parking of an operable passenger vehicle [on a driveway or recreational vehicle meetings section 36.319 on a driveway](#) located on private property shall not be prohibited.

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Sec. 36-200. Definitions.

Accessory Structure means a supplemental building, structure, or other construction (which may be part of the principal building, structure, or residence), located on the same lot, which is intended to remain in a fixed location on the lot and which is designed, occupied, or devoted to an accessory use. An accessory structure includes all components of the structure placed underground or suspended in the air. A satellite dish is an accessory structure for the purposes of the setback provisions of this Ordinance. Tower (communications tower) as defined in ~~Error! Reference source not found.Sec. 36-1805(A)8~~ and the towers and related equipment associated with residential wind energy systems shall not be deemed accessory structures, but shall be subject to the specific requirements of ~~Error! Reference source not found.Sec. 36-1805~~ and ~~Error! Reference source not found.Sec. 36-1804(NN)~~ of this Ordinance. (Amended by adoption April 21, 2011, Sec. 20-200 Accessory Structure). A Swimming pools and play structures shall not be subject to the requirements of this section and shall not be considered an accessory structure. Hoop style structures, semi-trailers, railcars, school buses, and shipping containers are not considered accessory structures.

Sec. 36-400. Accessory Structures

(A) Attached Accessory Structures. An accessory structure attached to the principal building on a lot shall be made structurally a part thereof, and shall comply with the yard requirement of this Ordinance applicable to principal buildings. The footings, foundation and all aspects of the accessory structure shall be to the same construction code requirements applicable to the principle structure.

(B) Detached accessory Structures.

1. Each parcel shall be limited to one detached accessory structure.
2. A detached accessory structure shall not be closer than five (5) feet from the rear lot line and ten (10) feet from the side lot lines, except as otherwise provided in this Ordinance.
3. A detached accessory may be located in front of the primary structure, but not within the required front yard setback.
4. An accessory structure may be located in the side or rear yards only, and, unless a greater distance is required by other applicable law, code or regulation, shall not be

Commented [AB1]: These type of structures are used as greenhouses.

Commented [AB2]: WHAT THEY WANT:

Chapter 36 Article 4 Section 400 Accessory Structures - Allow in Front with certain frontage or lot depth
The Planning Commission sees a large number of residents requesting accessory structures to be added in their front setback. This is due to the fact that many parcels in the Township are large and primary residences are located toward the rear of the property. Currently the resident can petition the Planning Commission for a special use permit to locate in the front setback with issuance of a special use permit. A revision would alleviate some Special Use Permit requests. Also, we would like to deny "storage containers" as accessory structures in the Township. We have had several added in the past year, as the current ordinance does not specify anything for storage containers. The Planning Commission requested that Rowe Professional Services provide a review and recommendations for revisions per the attached file. The Planning Commission wants to keep control of the accessory structures in front portion by issuance of special use permits, but, wants to revise the ordinance to exclude storage containers and hoop style storage structures in the ordinance. There would be an allowance for greenhouses and agricultural buildings with steel roofs. Of the four requested reviews, this would be priority number 2.

Commented [AB3]: Do they want to limit the number???
If they don't then #5 needs to be reworded to "The total calculated allowable square footage of all accessory structures on a parcel shall be:"

Commented [AB4]: The ordinance requires a 20 foot front yard setback. There is no reason this can't be met on long parcels with houses built towards the rear that would an accessory structure in front of the primary structure.

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closer than ten (10) feet to the principle structure, or any other structure location on the property.

5. The total allowable square footage of an accessory structure shall be: the footprint of a lot

a. ~~zoned~~ RSA zoning – the footprint of the primary structure.

b. ~~and~~ RU-1 zoning - thirty (30%) percent of the square footage of parcel. a zoned RU-1, or located in the front yard unless permitted in the front yard by issuance of a discretionary special use permit pursuant to Sec. 36-1804(A) of this Ordinance.

(C) Semi-trailers, railcars, school buses, and shipping containers are not considered accessory structures and are prohibited from being used as such.

(C) — Accessory Structure Without Principal Building. An accessory structure otherwise permissible under this ordinance may be located on a lot without a principal building, by issuance of a discretionary special use permit pursuant to Sec. 36-1804(A) of this Ordinance.

(D) — Temporary Accessory Structures. Temporary accessory structure is defined as a building or other structure which is not connected to water, septic, sewer, natural gas, propane, or any utility except electricity used only to light the temporary accessory structure; and, which is used solely for purposes of storage.

No more than one temporary accessory structure, not exceeding two hundred (200) square feet in area and ten (10) feet in height, may be placed in the rear or side yard of a residential lot, on which is located a principal dwelling, without permit. Placement of the temporary accessory structure shall be in accordance with the set back requirements of this Ordinance. Such temporary accessory structure may be moved on the lot, so long as the required set backs are maintained and may be removed from the lot and brought back without further permit. Placement of a temporary accessory structure which exceeds two hundred (200) square feet in area or ten (10) feet in height, or placement of more than one temporary structure on the same lot, shall require a permit to be issued by the local building official.

(Amended by Adoption April 21, 2011, Sec.20-400 Accessory Structures a-d)

(Ord No. 2018-3 Adopted 12-3-2018)

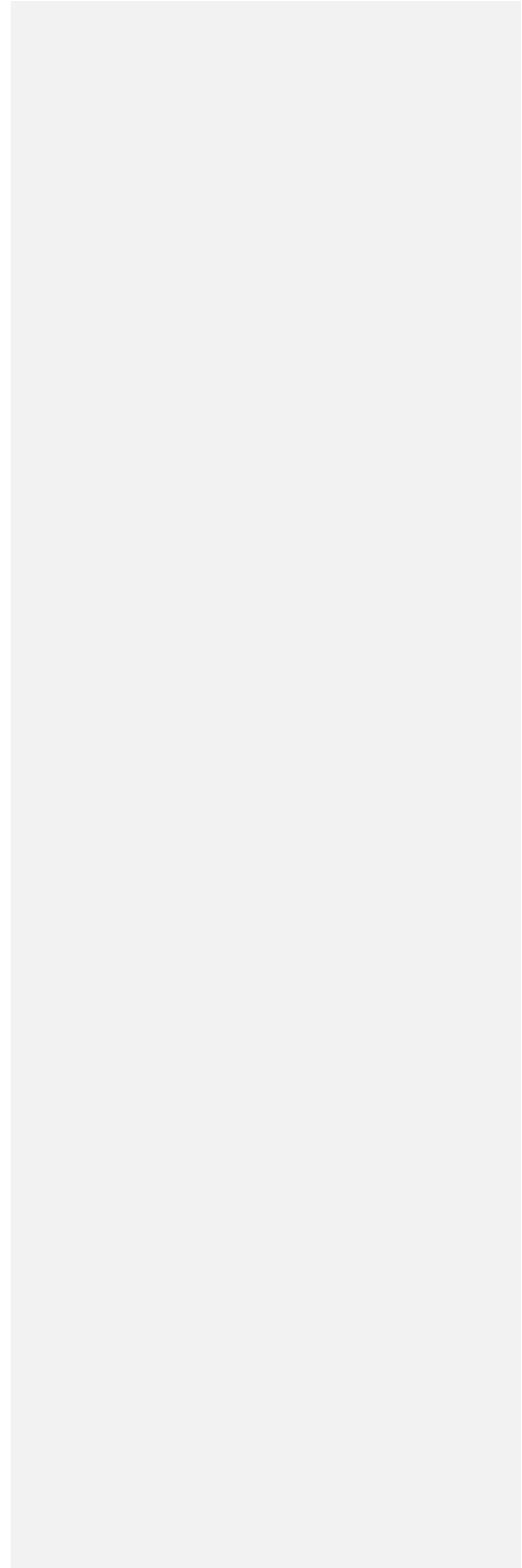
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Commented [AB5]: Should not be permitted. Suggest removing. Ag uses would fall under RTFA and allow.

Commented [AB6]: This is a definition. This definition could also be applied to MANY accessory buildings. I would suggest removing it.

Commented [AB7]: In my mind a temporary structure would be a hoop like skeleton with a plastic cover which the PC wants to prohibit so I could remove this section also,

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Sec. 36-408. Fences, Walls, and Other Protective Barriers

- (A) A fence is defined, as any partition, structure, gate or obstacle, erected as a dividing marker, barrier or enclosure.
- (B) A fence shall not include an enclosure constructed of chicken wire or similar material not exceeding 3 feet in height, installed in a side or backyard of a residential property for the purpose of enclosing vegetation or domestic animals.
(Ord. No. 31 §1, 4-13-78, Ord. No. 2020-04, 11-12-2020)
- (C) Permit required. No fence shall be erected or altered within the township without obtaining a permit from the township building inspector.
(Ord. No. 31 §2, 4-13-78, Ord. No. 2020-04, 11-12-2020)
- (D) Permit fee. A fee in an amount determined by the Township Board from time to time shall be paid for each permit issued pursuant to **Error! Reference source not found.** Sec. 36-1709. Appropriate fees shall be established by the Township and shall be payable to the Township or its authorized agent. A schedule of fees as approved by the Township Board shall be maintained on file at the Township offices.
(Ord. No. 31 §3, 4-13-78, Ord. No. 2020-04, 11-12-2020)
- (E) Establishment of lot lines. The building inspector may require the owner of the property upon which a fence is located or is to be located, to establish lot lines upon such property through placement of permanent markers located by a licensed surveyor. Such lot line shall be established within fifteen (15) days after receiving notice.
(Ord. No. 31 §4, 4-13-78, Ord. No. 2020-04, 11-12-2020)
- (F) Prohibited in public rights-of-way. No fence shall be erected or maintained within the limits of any public road right-of-way in the township.
(Ord. No. 31 §5, 4-13-78, Ord. No. 2020-04, 11-12-2020)
- (G)** Height restriction.
 - a. Fences on a lot of record in all residential districts which enclose property and/or are within a required side or rear yard, shall not exceed six (6) feet in height measured from the surface of the ground, and shall not extend toward the front of the lot nearer than the front of the house or the required minimum front yard, whichever is greater.
 - b. Fences located in the front yard setback shall not exceed three (3) feet in height measured from the surface of the ground and shall be an ornamental design.
 - c. Fences located in front of the primary structure and outside the front yard setback may be up to six (6) feet in height and designed for privacy, with written permission from adjacent property owners.
(Ord. No. 31 §6, 4-13-78, Ord. No. 31, 2-12-98, Ord. No. 2020-04, 11-12-2020)
- ~~(G)~~**(H)** Exclusion of certain property. Recorded lots or un-platted acreage having an area in excess of five (5) acres and a frontage of at least two hundred (200) feet are excluded from these regulations, except that no fence shall be erected or maintained within the limits of any public road right-of-way pursuant to ~~(F)~~**Sec. 36-408(F)**.
(Ord. No. 31, §7, 4-13-78)
- ~~(H)~~**(I)** Electrification restricted. Fences on lots of record shall not contain barbed wire, electric current or charge of electricity.
(Ord. No. 31, §8, 4-13-78)
- ~~(I)~~**(J)** Vacant lot. Any fence intended to be installed on a vacant lot shall require a special use permit in accordance with the procedure stated in **Error! Reference source not found.** Sec. 36-1800.
(Ord. No. 31 §7, 4-13-78, Ord. No. 2020-04, 11-12-2020)

Commented [AB1]: WHAT THEY WANT:

Chapter 36 Article 4 Section 408 Fences – Allow privacy fence in front with adjoining property permission **Currently any property owner that has a large front setback that wants to install a privacy fence in their front setback is required to have a fence permit denied and then go to our Planning Commission to get a special use permit approved for the fence. Often times the neighboring property does not have a large front setback and would be approved to put the same exact privacy fence on the same exact property line without going through the special use process. We would like to possibly revise the ordinance so that with both property owners' approval, the fence would be approved avoiding the Special Use Process. The Planning Commission requested that Rowe Professional Services provide a review and recommendations for revisions if this concept make sense. The general feeling was that the Planning Commission did not like a "with both property owners approval". This may require further explanation by use of photos and lot layouts for Rowe to fully understand this situation. Of the four requested reviews, this would be priority number 3.**

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~~(J) Prohibited fences. Any fence intended to be installed on a vacant lot shall require a special use permit in accordance with the procedure stated in Sec. 36-1800. (Ord. No. 31 §8, 4-13-78, Ord. No. 2020-04, 11-12-2020)~~

(K) Fences to public property. Fences which enclose property owned by a municipality, school or other public agency or which is customarily open to and used by the public, such as parks and playgrounds, situated within an area developed as a residential district, and which are adjacent or within 100 feet of intersecting to public roads, shall require a special use permit to assure the placement, height and construction of the fence will not impair the visibility of the intersection by operators of motor vehicles, bicycles or pedestrians.

(Ord. No. 31 §9, 4-13-78, Ord. No. 2020-04, 11-12-2020)

(L) Agricultural fences. Installation of a fence intended primarily for agricultural purposes to a property located in a residential district, shall require a special use permit. The Planning Commission shall have the authority under appropriate circumstances, to waive the height restrictions contained in ~~(G) Sec. 36-408(G)~~ and the prohibitions contained in ~~(A) Sec. 36-408(I)~~, to balance the reasonable agricultural needs of the property owner with public safety and concerns of the concerns adjoining property owners.

(Ord. No. 2020-04, 11-12-2020)

(M) Maintenance. Fences shall be maintained so as not to endanger life or property. Any fence which, through lack of maintenance or type of construction or otherwise imperils life or property, shall be deemed a nuisance. The building inspector shall notify the owner of the property on which the fence is located of the existence of such nuisance and the nuisance shall be abated within 10 days of the date notice is provided to the property owner.

(Ord. No. 31 §10, 4-13-78, Ord. No. 2020-04, 11-12-2020)

(N) Special use permits.

1. Zoning Administrator Denial. Where the zoning administrator denies an application for a fence permit, the property owner may request the Planning Commission issue the permit. The request shall be made by written application submitted to the Township clerk within 30 days of the date of the zoning administrator denial. The application shall include a copy of the application to the zoning administrator and a copy of the zoning administrator's denial. The property owner and zoning administrator may submit additional information relevant to the grant or denial of the permit. In making its decision, the Planning Commission shall take into consideration any unique features of the property, the proposed fence, the stated concerns of any property owners within 300 feet of the proposed fence, as well as the opinions expressed by the public at large. The Planning Commission's decision shall be based on an objective consideration of the information presented, balancing the benefit to the property of the intended fence against the requirements of the ordinance and the legitimate concerns of the public.
2. Vacant Land. A request to install a fence to vacant land shall be submitted by application for special use permit to the Planning Commission.
3. Agricultural Fence. A request to install a fence for agricultural purposes in a residential district shall be submitted by application for special use permit to the Planning Commission.

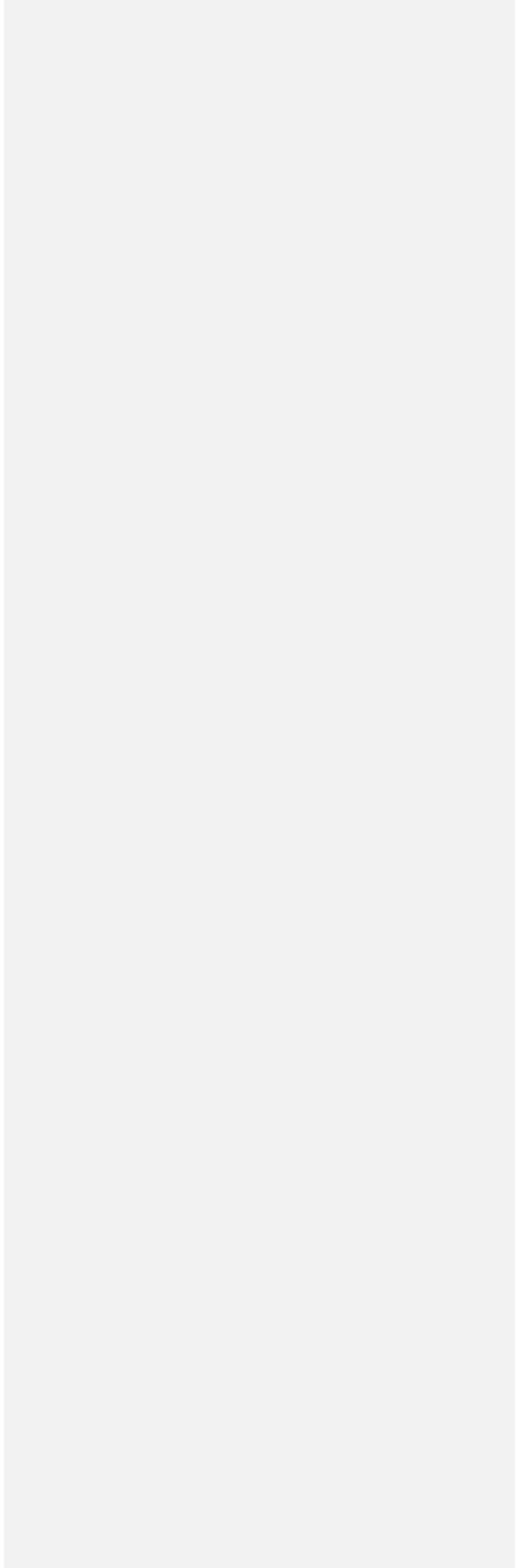
Commented [AB2]: These are duplicates.
I also don't see how adding a fence falls under a SLU.

Commented [AB3]: This maybe a violation of RTFA.
Maybe needs to be reworded to exempt uses that fall under RTFA.

Commented [AB4]: See comments above.

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Planning Commission Annual Report 2024

Pursuant to the Michigan Planning Enabling Act, Public Act 33 of 2008, township planning commissions shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body relating to planning and development. This annual report detailing the activities over the past year, including reviews, recommendations, and ordinance updates fulfills this requirement of Public Act 33 of 2008. The Township Master Plan is used as the underlying guide for land use decisions and updates to the Township’s Zoning Ordinance.

MEMBERS AND MEETINGS

The Planning Commission is a seven-member body comprised of appointed residents of the township. The commission meets on the second Monday of each month, except where the meeting dates conflict with a holiday. The commission met five times in 2024.

January 8 th		July 8 th	
February 12 th	Cancelled	August 12 th	Cancelled
March 11 th	Cancelled	September 9 th	Cancelled
April 8 th	Cancelled	October 7 th	Cancelled
May 13 th		November 12 th	Cancelled
June 10 th		December 9 th	

The current Planning Commission membership consists of the following individuals appointed to 3-year terms:

COMMISSIONER	TITLE	TERM	MEETING ATTENDANCE												
			J	F	M	A	M	J	J	A	S	O	N	D	
Vicki Peivandi	Chairperson	2027	X					X	X	X					X
William Mills	Vice Chairperson	2026						X	X	X					
Amy Bolin	Secretary	2027	X					X	X	X					X
Kyle Raup	Commissioner	2026	X					X		X					X
Timothy Lloyd	Commissioner	2024	X					X							X
Michael Moon	Commissioner	2026	X						X						X
Terry Peck	Board of Trustees Representative	2028	X					X	X	X					X

SUMMARY OF ACTIONS TAKEN IN 2024

Special Use Permits

Type	Request	Approved
Accessory structure w/o Princ. Str.	1	1
Blaska Holdings LLC	1	1
Cell Tower	1	1
Primary Res. In Back Yard	1	1
Total	4	4

See page 3 for a full accounting of 2024 agenda items.

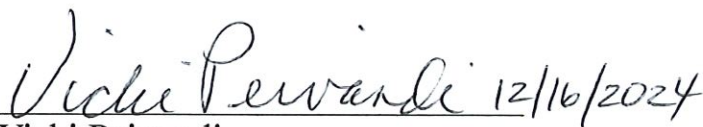
BUSINESS	APPLICANT	ADDRESS	MEETING DATE	ACTION
SUP for Cell Tower	Towerco 2013 LLC and Cellco Partnership dba Verizon Wireless	7235 W. Coldwater Road	Jan 8th	Motion passed 6-0, contingent that parcel split into two parcels and evergreens placed as needed around equipment seen from nearby residents
Site Plan Review for Cell Tower	Towerco 2013 LLC and Cellco Partnership dba Verizon Wireless	7235 W. Coldwater Road	Jan 8th	Motion passed 6-0
2023 Planning Commission Report	n/a	n/a	Jan 8th	Motion passed 6-0
Public Hearing and SUP to operate Blaska Holdings LLC	Justin Blaska (Blaska Holdings LLC)	8034 N. McKinley Road	May 13th	Motion passed 6-0
Public Hearing and SUP to split property for placing Accessory Structure on a lot without a principal structure	Michael Oleyar	8301 Frances Road	May 13th	Motion passed 6-0, contingent on building permit application
SUP to build primary residence in the back yard	Michael Oleyar	8301 Frances Road	May 13th	Motion passed 6-0
Zoning Ordinance Sec. 36-419 Farm Animals and Horse Ordinance	n/a	n/a	Jun 10th	Motion passed 5-0 Second reading approved by Board of Trustees on Sep. 12th
New Commercial Wind Energy Ordinance	n/a	n/a	Jun 10th	No motion taken. Discussion only.
	n/a	n/a	July 8th	Motion passed 5-0 Second reading approved by Board of Trustees on Nov. 14th
Zoning Ordinance Sec 36-1700 Signs	n/a	n/a	Dec 9th	No motion taken. Discussion only.
Zoning Ordinance Sec. 36-319 Temporary Travel Trailer or Recreational Vehicle Parking	n/a	n/a	Dec 9th	No motion taken. Discussion only.
Zoning Ordinance Sec. 36-408 Fences, Walls, and Other Protective Barriers	n/a	n/a	Dec 9th	No motion taken. Discussion only.
Zoning Ordinance Sec. 36-400 Accessory Structures	n/a	n/a	Dec 9th	No motion taken. Discussion only.

2025 ACTION PLAN

The Planning Commission looks forward to a productive year in 2025. Working with the Zoning Administrator, the Planning Commission intends to update the Sign ordinance to align with current standards, and the RV Parking, Fence, and Accessory Structure ordinances to better administer frequent issues in the Township.

On behalf of the Planning Commission, I would like to express our gratitude to the Township Board, to the dedicated volunteers on the other boards and commissions, and to the Township staff for all their hard work and support. Finally, we would like to express our appreciation to all the residents and businesses that make Flushing Township such a great place to call home.

Respectfully submitted,


Vicki Peivandi
Planning Commission Chairperson

 12/17/24
Christopher Czyzio
Zoning Administrator