

**DELHI CHARTER TOWNSHIP  
MINUTES OF THE PLANNING COMMISSION HELD ON APRIL 14, 2014**

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The Delhi Charter Township Planning Commission held a regular meeting on Monday, April 14, 2014 in the Multipurpose Room at the Community Services Center, 2074 Aurelius Road, Holt, Michigan. Chairperson Zietlow called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Members Present: Kimberly Berry-Smokoski, Michael Goodall, Jon Harmon, Donald Leaf, Ken O'Hara, Tonia Olson, Betsy Zietlow

Members Absent: Rita Craig, Matthew Lincoln

Others Present: Tracy Miller, Director of Community Development, Noelle Tobias, Building Secretary

**AMENDMENTS TO THE AGENDA: None**

**APPROVAL OF THE MARCH 24, 2014 PLANNING COMMISSION MINUTES**

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**Goodall moved and Olson seconded to approve the March 24, 2014 meeting minutes.**

A Voice Poll was recorded as follows: All Ayes

Absent: Craig, Lincoln

**MOTION CARRIED**

**PUBLIC COMMENT (Non-Agenda Items):** None

**PUBLIC HEARING - CASE #14-877 - TEXT AMENDMENT TO ZONING ORDINANCE - 39.162 - SECTION 5.1.11 HOME OCCUPATIONS - MEDICAL MARIHUANA**

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Ms. Miller reviewed the proposed changes, additions and deletions to the Home Occupation provisions specifically pertaining to Medical Marihuana within the Zoning Ordinance. The amendment makes violating this section of the Zoning Ordinance a misdemeanor, rather than a civil infraction as it is currently. The proposed changes would make the ordinance enforceable by the Delhi Division of the Ingham County's Sheriff Department in the same way that they enforce other violations that are misdemeanors. This amendment is being suggested as a result of ongoing conversations between Township staff and the Delhi Division of the Ingham County Sherriff's Department. The proposed amendment was reviewed and discussed by the PC.

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**Public Hearing opened @ 7:13 p.m.**

Mike Hamilton, 4541 Sycamore, stated that he believed the Medical Marihuana Home Occupation restrictions were unfair because a childcare could opt to locate next to a registered Medical Marihuana Home Occupation, but a caregiver could not locate within 1000 feet of a daycare.

**Public Hearing closed @ 7:16 p.m.**

**Goodall moved, seconded by Leaf to recommend to the Board approval of  
Case #14-877 – Text Amendment to Zoning Ordinance – 39.162 – Section 5.1.11  
Home Occupations – Medical Marihuana.**

A Roll Call Vote was recorded as follows:

Ayes: Berry-Smokoski, Goodall, Harmon, Leaf, O'Hara, Olson, Zietlow

Nays: None

Absent: Craig, Lincoln

Abstain: None

**MOTION CARRIED**

**PUBLIC HEARING - CASE #14-878 - TEXT AMENDMENT TO ZONING ORDINANCE - 39.163  
- SECTION 5.21.5 & 6.4.4 ACCESSORY BUILDINGS IN THE FRONT YARD**

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Ms. Miller reviewed the proposed changes, additions and deletions to the Zoning Ordinance, as they specifically pertain to setback requirements for Accessory Buildings located in a Front Yard. These amendments are being recommended based on the significant number of Zoning Board of Appeals variance request cases that have been heard, and granted, over the past several years. The proposed amendment provides an exception which would allow properties containing five or more acres to have an accessory building in the Front Yard provided the building is setback at least 200 feet from the road right-of-way. The proposed amendment was reviewed and discussed by the PC.

**Public Hearing opened @ 7:23 p.m.**

There was no public comment.

**Public Hearing closed @ 7:23 p.m.**

**O'Hara moved, seconded by Goodall to recommend to the Board approval of  
Case #14-878 – Text Amendment to Zoning Ordinance – 39.163 – Section 5.21.5  
& 6.4.4 Accessory Buildings in the Front Yard.**

A Roll Call Vote was recorded as follows:

Ayes: Berry-Smokoski, Goodall, Harmon, Leaf, O'Hara, Olson, Zietlow

Nays: None

Absent: Craig, Lincoln

Abstain: None

**MOTION CARRIED**

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**GENERAL DISCUSSION AND UPDATES**

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Ms. Miller provided an update to the PC regarding the Town Center District (TC) changes. Ms. Miller has received some information from other municipalities, but is still working on this topic and was not yet ready to present another draft for the PC's consideration. Cedar Green, the L & L shopping center redevelopment, continues to move forward.

**ADJOURNMENT**

Meeting adjourned at 7:25 p.m.

Date: \_\_\_\_\_

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Kenneth O'Hara, Secretary

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SUBJECT TO APPROVAL