

**BUTLER TOWNSHIP PLANNING COMMISSION
MEETING MINUTES-MARCH 18, 2013**

CALL TO ORDER: Meeting called to order @ 7:02pm by Chairperson Doug Bracy.

PLEDGE OF ALLEGIANCE

PLANNING COMMISSION MEMBERS PRESENT: Michelle Reed, But. Twp Rep Janis Olney, Vern Geer, Donna Stanton, Autumn Ivey, Chris Parker, Secretary Eileen VanVleet and Chairperson Doug Bracy.

PLANNING COMMISSION MEMBERS ABSENT: Ron Freeman

OTHERS PRESENT: Gary and Jeannine VanPatten, Alyssa Bracy, for Government class extra assignment.

APPROVAL OF PREVIOUS MINUTES: Motion to approve minutes from February 11, 2013. C. Parker/V. Geer. All in favor, motion passes.

MOTION TO OPEN PUBLIC HEARING ON PROPOSED LANGUAGE CHANGES: E. VanVleet/A. Ivey. All in favor, motion passes. Hearing opened @ 7:04pm.

A. Chairperson Doug Bracy read the old language and the new proposed changes to Chapter's 4, 5, and 17.

OLD LANGUAGE: SECTION 4.04 DEVELOPMENT STANDARDS: No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

A. FRONT YARD. There shall be a front yard of not less than seventy-five (75) feet.

B. SIDE YARD. For residential buildings and structures, there shall be total side yards of not less than fifty (50) feet; provided, however that no side yard less than twenty (20) feet. For all other buildings, there shall be two (2) side yards of not less than fifty (50) feet each.

NEW LANGUAGE: SECTION 4.04, DEVELOPMENT STANDARDS. PAGES 4-1

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

A. FRONT YARD. There shall be a front yard of not less than fifty (50) feet.

B. SIDE YARD. For all residential buildings, there shall be total side yard of not less than fifty (50) feet; provided however, that no side yard shall be less than twenty (20) feet

OLD LANGUAGE: SECTION 5.05 DEVELOPMENT STANDARDS: No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

A. FRONT YARD. There shall be a front yard of net less than fifty (50) feet.

B. SIDE YARD. For residential buildings and structures, there shall be total side yards of not less than fifty (50) feet; provided however, that no side yard shall be less than twenty (20) feet. For all other buildings, there shall be two (2) side yards of not less than fifty (50) feet.

NEW LANGUAGE: SECTION 5.05 DEVELOPMENT STANDARDS. PAGES 5-1

No building or structure nor any enlargement thereof shall be hereafter erected except in conformance with the following yard, lot area, height and building coverage requirements:

A. FRONT YARD. There shall be a front yard of not less than fifty (50) feet.

B. SIDE YARD. For residential buildings and structures, there shall be a total side yards of not less than fifty (50) feet; provided, however, that no side yard shall be less than twenty (20) feet.

OLD LANGUAGE: CHAPTER 17. CONTINUANCE OF NONCONFORMING USE OR STRUCTURE.

A nonconforming structure exists when the height, size, minimum floor area, or lot coverage of a structure of the relationship between an existing building and other buildings of lot lines does not conform to regulations applicable to the district in which the property is located.

When a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

A. EXPANSION OF STRUCTURE: Structures, or uses nonconforming by reason of height, yards, area, or parking provisions may be excluded, altered or modernized provided that no additional encroachment of the height, yard, area, or parking provisions are occasioned thereby.

B. MOVING: Should such structure be moved for any reason for any distance whatsoever, it shall thereafter conform to the regulations for the district in which it is relocated after it is moved.

NEW LANGUAGE: CHAPTER 17, SECTION 17.03 CONTINUANCE OF NONCONFORMING USE OR STRUCTURE. PAGES 17-1

A nonconforming structure exists when the height, size, minimum floor area, or lot coverage of a structure or the relationship between an existing building and other buildings or lot lines does not conform to the regulations applicable to the district in which the property is located.

When a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

EXPANSION OF STRUCTURE PERMITTED ENLARGEMENT. A structure that is nonconforming with respect to the minimum required front yard setback may be enlarged provided that:

1. Such enlargement shall be permitted only for the primary building.
2. Such enlargement shall not extend closer to the front line than the front façade of the building.
3. Such enlargement shall conform to all dimensional standards of the District in which the building is located.

There was a question concerning #2 regarding that it may be too restrictive and the comment was made that it only pertains to nonconforming structures.

QUESTIONS FROM THE PUBLIC: None

MOTION TO CLOSE THE PUBLIC HEARING. A. Ivey/V. Geer. All in favor, motion passes. Hearing closed at 7:10pm.

The planning Commission review proposed changes and standards for approval. The Planning Commission approved the language changes to all three proposed chapters. Motion to approve the new language in chapters 4, 5, and 17. E. VanVleet/J. Olney, with a roll call vote: Michelle Reed, **YES**, Janis Olney, **YES**, Donna Stanton, **YES**, Vern Geer, **YES**, Autumn Ivey, **YES**, Chris Parker, **YES**, Doug Bracy, **YES**, Eileen VanVleet, **YES**. All in favor, motion passes.

Doug will send the proposed approved changes to the Branch County Planning Commission.

The Butler Township board will have these changes for discussion and to vote on at their next scheduled Township meeting.

Our next meeting is scheduled for June 10, 2013 @ 7:00pm at the Township Hall.

A motion to adjourn. C. Parker/V. Geer. All in favor, motion passes meeting adjourned @ 7:12pm.

Respectfully Submitted:



Eileen R. VanVleet, Secretary.