

CHARTER TOWNSHIP OF FLUSHING

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PLANNING COMMISSION MINUTES 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. 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, Bolin and Peck

ABSENT: Moon and Mills

OTHERS PRESENT: Three (3) others were present.

II. APPROVAL OF AGENDA

TREASURER PECK MOVED, supported by Commissioner Bolin to approve to agenda.

THE MOTION CARRIED.

III. APPROVAL OF PREVIOUS MINUTES

TREASURER PECK MOVED, supported by Commissioner Raup to approve previous minutes.

After corrections to the draft minutes were discussed, Treasurer Peck withdrew the motion.

TREASURER PECK MOVED, supported by Commissioner Raup to approve the January 13, 2025 minutes with the following amendments:

- Motion for Approval of the Agenda to read “Treasurer Peck Moved, supported by Commissioner Raup, to approve agenda amending New Business #1 before Unfinished Business
- Motion for Approval of Previous Minutes time to be corrected from 7:56 pm to 7:02 pm

ACTION ON THE MOTION

ROLL CALL VOTE

AYES: Bolin, Peivandi, Raup, Peck and Strnad

NAYS: None

ABSENT: Mills and Moon

THE MOTION CARRIED.

IV. PUBLIC COMMENTS FOR AGENDA ITEMS ONLY

OPEN FOR PUBLIC COMMENTS 6:03 P.M.

None

CLOSED FOR PUBLIC COMMENTS 6:04 P.M.

V. UNFINISHED BUSINESS

OPEN TO UNFINISHED BUSINESS: 6:05 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 much discussion on the RV Ordinance.

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad to have Rowe create a clean copy of the RV Ordinance and move to next meeting.

After no further discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Raup, Peivandi, Peck, Strnad and Bolin

NAYS: None

ABSENT: Mills and Moon

THE MOTION CARRIED.

(Below is the RV Ordinance discussion points.)

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.*

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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. 38-1802(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 that 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.
- c. The temporary storage of a recreational vehicle not obstruct the passage of a sidewalk.

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~~(E)~~ (F) 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.

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.

(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.

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

After discussion on suggested possible changes.

COMMISSION STRNAD MOVED, supported by Commissioner Bolin to have Rowe bring clean copy of Chapter 36 Article 4 Section 400 Accessory Structures – Allow in Front with certain frontage or lot depth, to next meeting.

After no further discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peivandi, Raup, Peck, Strnad and Bolin

NAYS: None

ABSENT: Moon and Mills

THE MOTION CARRIED.

(Below is the Chapter 36 Article 4 Section 400 Accessory Structures Ordinance discussion points.)

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)~~ 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.

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)

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,

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

No document provided.

COMMISSIONER RAUP MOVED, supported by Commissioner Strnad to approve moving Chapter 36 Article 17 Signs – Update to comprehend most recent United States Supreme Court Decision – Can only control Location, Size and Lighting to next meeting.

After no discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Peivandi, Raup, Peck, Strnad and Bolin

NAYS: None

ABSENT: Moon and Mills

THE MOTION CARRIED.

CLOSED TO UNFINISHED BUSINESS: 8:16 PM

OPEN TO NEW BUSINESS: 8:16 PM

VI. NEW BUSINESS

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

COMMISSIONER BOLIN MOVED, supported by Commissioner Peck on approval of 2024 Planning Commission Report.

After no discussion the following motion was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Raup, Peck, Strnad, Bolin and Peivandi

NAYS: None

ABSENT: Moon and Mills

THE MOTION CARRIED.

CLOSED TO NEW BUSINESS: 8:16 PM

VII. PUBLIC COMMENTS

OPEN FOR COMMENTS: 8:16 P.M.

No comments made.

CLOSED FOR COMMENTS: 8:17 P.M.

VIII. ZONING ADMINISTRATOR COMMENTS

MR. CZYZIO –

- Thanked Commissioners and Rowe for active positive involvement in updating Ordinances.

IX. COMMISSION COMMENTS

- Thankful for the 6pm start time.

X. NEXT REGULAR SCHEDULED MEETING

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

XI. ADJOURNMENT

With no further business, the meeting adjourned at 8:18 P.M.

VICKI PEIVANDI, Chairperson

AMY BOLIN, Secretary

March 10th, 2025
Date of Approval

Jeanette Sizemore, Recording Secretary