

BURT TOWNSHIP
Planning Commission Meeting
February 10, 2009

The regular meeting of the Burt Township Planning Commission was called to order by Chair Gary Street on February 10, 2008 at 7:30 p.m. at the Burt Township Hall, Cheboygan, Michigan.

Attendance: Gary Street, Ann Baughman, Matt Landon, Linda Caverly.
Also attending: Mary Campbell, Joyce Hutto, Harold Koviak and Katie Parker.
Absent: Gene Hodulik

Minutes:

MOTION: Moved by Matt Landon and seconded by Ann Baughman to approve the Planning Commission minutes of January 19, 2009 as published.

MOTION APPROVED

Review of Ordinance Revisions

Gary reviewed the set of revisions for recommendation made during the Planning Commission meeting of January 19. Mary Campbell put the items in proposed amendment format to be given to Gary Street to take to Burt Township meeting March 5, 2009.

Ordinance Revision Approval Process

Gary Street presented a flow chart showing the process of approval of the Junk Salvage revisions (Street) will take the revisions to the Burt Township Board on March 5, 2009 for a preview.

Junk & Salvage Material – definition and ordinance revision

Proposed Ordinance Revisions made during the Burt Township Planning commission meeting of January were presented, shown with comments by Tim MacArthur. Changes were made in the paragraph of definition of Junk. Harold Koviak asked what the purpose of the paragraph is. Gary Street said it is: #1 you cannot throw your trash out without a container, and #2 you cannot put your trash closer then 30 feet from your neighbor's property. Paragraphs of Salvage Yard, Salvage Materials, and Waste were discussed. Changes made as recommended by the Planning Commission will be presented to the Township Board in March. **MOTION:** Moved by Ann Baughman and Seconded by Mat Landon to take the Junk and Salvage Material Proposed Ordinance revisions which were modified and recommended tonight before the Burt Township Board for discussion at the March meeting.

MOTION APPROVED

The Ordinance revisions, as recommended by the Planning Commission, regarding Junk and Salvage Materials are shown in Appendix 1.

2009 Review and update of Master Plan

Mary Campbell asked Commission members to read the Master Plan before the next meeting, as it will be discussed at said meeting.

2008 Annual Report and 2009 Budget

Gary Street will submit the Annual Report and 2009 budget to the Burt Township meeting of March 5, 2009. The Annual Report summarizes what has been done during the year 2008.

Use of ATV's on Township Roads

Harold Koviak attended an initial meeting concerning ATV's on township roads and is looking for advice and ideas from the Planning Commission. Discussed was if proposed trail and township roads would be closed to ATV's. It was suggested that the trail would be seasonal, and ATV's would not be allowed on the trail in the summer.

Trail Committee

Gary Street reports the Trail committee concept is going very well, and progress is being made.

MOTION: Moved by Matt Landon and seconded by Linda Caverly to adjourn.

MOTION APPROVED

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Joyce Hutto
Recording Secretary

Appendix 1

Burt Township Ordinance Number ____ of 2009

An Ordinance to amend Article II: Rules of Construction and Definitions, Article III, Section 3.07: Light Industrial District, Article VI: General Provisions and Article VII: Supplemental Site Development Standards of the Burt Township Zoning Ordinance, pertaining to junk, salvage materials, salvage yards and inoperable vehicles.

The Township of Burt Ordains:

Section 1. Amendment of Article II, Section 2.02

Article II, Section 2.02 of the Burt Township Zoning Ordinance is hereby amended to delete the definition of **junkyard** in its entirety.

Section 2. Amendment of Article II, Section 2.02

Article II, Section 2.02 of the Burt Township Zoning Ordinance is hereby amended to add definitions for **Salvage Materials**, **Salvage Yard** and **Waste**, to be inserted in appropriate alphabetical order. Each definition to read in its entirety as follows:

Salvage Materials: Waste, used or second hand materials, not stored for more than six (6) months, including, but not limited to scrap or other metals, paper, rags, rubber tires and bottles, which are to be held temporarily for recycling purposes or collection, processing or transport to other processing facilities.

Salvage Yard: An open area where waste, used or second hand materials are bought and sold, exchanged, stored, baled, packed, disassembled or handled including, but not limited to scrap or other metals, paper, rags, rubber tires and bottles. A "Salvage Yard" includes automobile wrecking yards and includes any area of more than two hundred

(200) square feet for storage, keeping or abandonment of salvage materials, but does not include uses established entirely within enclosed buildings.

Waste: Items that are discarded, left over, thrown away, or no longer useful.

Section 3. Amendment of Article II, Section 2.02

Article II, Section 2.02 of the Burt Township Zoning Ordinance is hereby amended to update the definitions for **Inoperable, Unlicensed, or Abandoned Vehicle, Trailer or Watercraft** and **Junk**. Each definition is amended to read in its entirety as follows:

Inoperable, Unlicensed or Abandoned Vehicle, Trailer or Watercraft: Any vehicles of any nature whatsoever, including, but not limited to, automobiles, trucks, snowmobiles, motorcycles, riding mowers, tractors, four wheelers, trailers, or any watercraft, which is incapable of being used as intended whether by reason of dismantling, disrepair, or other cause, or any motor vehicle, trailer, or watercraft which is not licensed for a period in excess of thirty (30) days.

Junk: Any of the following stored, placed, permitted to be stored or placed, or allowed to remain on any parcel of land outside a completely enclosed building for more than thirty (30) days in any one calendar year unless managed as part of a permissible salvage yard:

- (1) inoperable, unlicensed or abandoned vehicles, trailers or watercraft,
- (2) machinery, appliances, products, merchandise or other item with parts missing or which is disassembled or otherwise cannot be used for its intended purpose,
- (3) scrap or salvage material, tires, trash, rubbish, litter, garbage, refuse or waste of any nature, or
- (4) any item that is damaged, deteriorated, dismantled or in disrepair regardless of cause.

Junk does not include domestic trash, garbage or refuse if:

- (1) It is stored in an enclosed container so as to not create a nuisance, or
- (2) It is stored for a period not to exceed ten (10) days.

Section 4. Amendment of Article III, Section 3.07, subsection 3.07.3

Article III, Section 3.07, subsection 3.07.3 of the Burt Township Zoning Ordinance is hereby amended to add 24. Salvage yard as use subject to special use permit, and re-number items 24 and 25 to 25 and 26 of subsection 3.07.3. Items 24, 25 and 26 of subsection 3.07.3 shall read in their entirety as follows:

- 24. Salvage Yard
- 25. Accessory building and uses customarily incidental to the above special uses
- 26. Accessory building as a Principal Use for commercial uses

Section 5. Amendment of Article VI, Section 6.16

Article VI, Section 6.16 of the Burt Township Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 6.16(a). Junk: The outdoor accumulation and storage or other placement of junk presents an unsightly and unattractive appearance, or creates a health and safety hazard, or discourages adjoining property owners from improving their property, or threatens property values, or diminishes the quality of the community. The purpose of these regulations is to limit and control the outdoor accumulation and storage or other placement of junk and thereby protect the general welfare of the community.

Junk shall be stored, placed or otherwise located only within a completely enclosed building. Junk located outside a completely enclosed building shall be disposed of within thirty (30) days.

Section 6.16(b). Rubbish, litter, garbage, refuse: Rubbish, litter, garbage or refuse located outside a completely enclosed building shall be disposed of within ten (10) days. Leaves, grass clippings, tree and plant trimmings shall not be placed in county road maintained ditches.

Section 6. Amendment of Article VII, Section 6

Article VII, Section 6 of the Burt Township Zoning Ordinance is hereby amended to read in its entirety as follows:

Section 6(a). Junk Storage: Junk shall be stored, placed or otherwise located only within a completely enclosed building.

Section 6(b). Salvage Material Storage: Any open storage yards or areas used for the storage of salvage materials shall be entirely enclosed by an eight (8) foot high obscuring wall or fence, or a hedge of a minimum height of eight (8) feet. No salvage yard facility (or outside junk storage yard or area) shall be nearer to the exterior boundary of the Light Industrial District than one hundred (100) feet.

Section 7. Severability.

If any section, clause, or provision of this Ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance. The Township Board hereby declares that it would have passed each part, section, subsection, phrase, sentence, and clause irrespective of the fact that any one or more parts, sections, subsections, phrases, sentences, or clauses be declared invalid.

Section 8. Conflicts.

If any provision of the Burt Township Zoning Ordinance conflicts with this Zoning Ordinance Amendment, then the provisions of this Zoning Ordinance Amendment shall control.

Section 9. Effective Date.

This Ordinance shall become effective eight (8) days after being published in a newspaper of general circulation within the Township.

Township of Burt

By:

Harold Koviak, Supervisor

Adoption date: _____

By:

Donna McDougall, Clerk

Effective date: _____