

**BRADY TOWNSHIP PLANNING COMMISSION
MINUTES OF MEETING HELD NOVEMBER 18, 2010**

A regular meeting of the Brady Township Planning Commission was held on November 18, 2010 commencing at 7:00 p.m.

ROLL CALL

Members present: Chairman Gary Miller
Julie Skrzypek
Ed Haberle
Mike Henderson
Randy Smith
Scott Oswalt

Absent: Vice-Chairman Dave Locey.

Also attending were Township Attorney Craig Rolfe and Alternate ZBA Member Aileen Greanya.

APPROVAL OF AGENDA

Mike Henderson **made a motion** to approve the agenda as printed. Ed Haberlet **supported the motion**, and it was **passed unanimously**.

APPROVAL OF MINUTES

Mike Henderson **made a motion** to approve the minutes of September 16, 2010 as printed. Scott Oswalt **supported**, and the **motion was carried unanimously**.

NEW BUSINESS

Review R-5 Zoning Requirements

Chairman Miller gave a brief history on the development of the R-5 zoning for the “Old Section” of the Nazarene Camp.

Randy Smith stated that the current setback requirements in this area prevent new construction, even when the resident requests a variance from the Zoning Board of Appeals. He stated that many of the structures in the Old Section of the Camp were built in the 1930’s as summer cabins on 40’ x 80’ lots. He stated that current owners often would like to update or rebuild to have a more modern year-round home, but are prevented from doing so.

After much discussion, the Planning Commission asked Attorney Rolfe to prepare a written proposal for changing the R-5 requirements for lots 40' x 80' or smaller as follows:

1. 8' side yard setback (allows for 1' roof overhang)
2. 8' rear yard setback
3. 28' front yard setback from the center of pavement of roadway
4. No maximum requirement for % of land coverage
5. Minimum of 500 square feet living space (not to include garage)

If the lot is greater than 40' x 80', a maximum requirement of 25% land coverage will be used.

It was also decided to change the definition of "building area" by removing the word "floor".

The Planning Commission will hold a Special Meeting on Wednesday, December 8, 2010 at 7:00 p.m. to review the proposal. If approved, there will be a Public Hearing at the next regular meeting to consider the proposed changes to the Ordinance.

OLD BUSINESS: Update on Medical Marijuana Clinics

Township Attorney Rolfe stated that the current regulations in the Ordinance Section for Home Occupation do cover the operation of these clinics. He agreed to so advise the Brady Township Board.

REPORT from Zoning Board of Appeals

Aileen Greanya, Alternate ZBA Member, asked if setbacks for new construction could be administered differently than those of existing structures. She stated that the ZBA recently had to deny a request to build a porch on an existing dwelling because of front yard setback requirements, and she felt from a "common sense" view, the request should have been granted.

Randy Smith **made a motion** to adjourn at 9:40 p.m. Ed Haberle **seconded** and the **motion was carried unanimously.**

The next Planning Commission Meeting is scheduled for December 8, 2010 at 7:00 p.m.

Respectfully submitted,

Chairman Gary Miller

Brenda Brock,
Recording Secretary

The Township Board has asked for direction from the Planning Commission as to whether the Brady Township Ordinance should be changed to deal with medical marijuana districts in a pro-active manner. Gary Miller read a letter from Township Attorney Craig Rolfe, stating that he is waiting to hear from the Township before preparing any proposed changes to the Ordinance. It was noted that the state is extensively regulating the licensing of these “clinics” and that any local ordinance would be pre-empted by the state. However, this may be a lengthy process, and the Planning Commission members felt that the Township should have something in place to deal with these clinics, even if it is pre-empted by the state later. After further discussion, the Planning Commission recommended that the Township Board request that the Township Attorney review the Ordinance in relation to the new medical marijuana clinics and propose any needed changes.