

Milton Township
Planning Commission
Regular Meeting
June 4, 2025
7:00 PM

7023 Cherry St. / Kewadin, MI

1. Call meeting to order. Note members, present, absent, or excused.
2. Public Comment
3. Approval of Agenda
4. Approval of Minutes May 7, 2025
5. Correspondence
6. Old Business
 - a) **Public Hearing- ZO 2025-01 Fence Amendment**
 - b) **Public Hearing- ZO 2025-02 Paid Taxes Prior to Permits Amendment**
7. New Business
8. Reports
 - a) Zoning Administration Office Report
 - b) Township Board Report– Renis
 - c) Zoning Board of Appeals – Hefferan
 - d) Planning Commission Updates – All
9. Future Meeting Considerations – July 2, 2025- Cancelled, August 6, 2025
10. Adjourn

Active Subcommittees (created date)

Fence Regulations

Peters, Renis, Merillat

Milton Township
Planning Commission
Unapproved Meeting Minutes
May 7, 2025

Members present: Chairman Hefferan, Renis, Peters, Warner, Standerfer, Ford, and Merillat.

Also present: Kopriva, Peterson, and one audience member.

Hefferan called the meeting to order at 7:02pm.

Public Comment: None.

Approval of Agenda:

Motion to approve by Renis/Ford. Motion carried.

Approval of Minutes dated April 2, 2025:

Correct spelling of "Duane" Meyer on page 2.

Motion by Warner to approve the minutes dated April 2, 2025 as corrected. Seconded by Standerfer. **Motion carried.**

Correspondence:

There was correspondence from Mac McKellar II of Kuhn Rogers PLC dated April 23, 2025 that was included in the packet.

Old Business

1. Fence Amendment:

Hefferan said we were provided the language for this last month. Renis, who was on the subcommittee said this is for land not in the Ag zone. Fences cannot be taller than 8 feet. It must be on your property with finished side pointed out and approved materials are listed. You do not need a permit to do this. It also must be maintained. Kopriva said this was tailored to Milton Township. Merillat said asked if we are interested in a fence that is way off the property line on the person's property? The way this is written, we would be regulating that. If you had a fence that was six foot high but eight foot off the property line, what do we care? Renis said you have to have marked boundaries. It does get fuzzy if you are enclosing a specific area like a pool or a hot tub. Hefferan asked what problem are we trying to solve in the township. We have had two complaints. Hefferan said he has talked with a citizen who suggested adding snow fencing regulations to the ordinance. Kopriva said we have excluded AG, there is an exception to every rule, but if you're looking at more than 8-10 feet in, do we care where it is located or is it more about access and aesthetics? At the same time, the board has asked the planning commission to review this matter. If you are not feeling like you want to do this, then you do not have to. This would be in the zoning ordinance, not a police ordinance. This would not change one of the complaints we have had. Renis feels if we start adding this, this language gets muddy.

Motion by **Renis** to go to a public hearing for amendment 2025-01. Seconded by Hefferan.

Kopriva said we will put this on the agenda for the next regular meeting. Roll Call: Peters: Yes | Standerfer: Yes | Renis: Yes | Ford: Yes | Merillat: Yes | Warner: Yes | Hefferan: Yes. **Motion carried 7-0.**

2. Paid Taxes Prior to Permits Amendment:

Hefferan said Kopriva has provided us with language. Changes are noted in the new draft. Kopriva discussed the changes. Hefferan said he reached out to the township treasurer and discussed the five-year look back. Kopriva said the five years is due to bankruptcies and past due taxes. The township becomes whole on March 1st of every year. We could remove the county and just note that we are only concerned about township tax collection. Hefferan asked if we are satisfied with the language we have been provided. Yes.

Motion by Ford to have a public hearing in June for Amendment 2025-02. Seconded by Warner. **Motion carried.**

New Business: None.

Reports:

ZA Report:

Kopriva provided a report for members to review. She discussed hearings and enforcement issues.

Township Board Report:

Renis said board is looking at the vacation rental ordinance to see if it should be updated and is working on getting a meeting recording system.

ZBA Report:

Hefferan said the ZBA did not meet.

Planning Commission Updates:

None.

Future Meeting Considerations: June 4, 2025:

1. Public hearing on Fence Amendment
2. Public hearing on Paid Taxes Prior to Permits Amendment.

Meeting adjourned by order of the chair at 7:34 pm.

Respectfully submitted,

Joseph Merillat

Date: 05.28.2025
From: Sara Kopriva, AICP
To: Milton Township Planning Commission
Project: ZO 2025-01 Fence Amendment



Possible Motion: Motion to recommend approval of ZO 2025-01 regarding fences to the Township Board

At the May meeting, the Planning Commission scheduled a public hearing on the following zoning language to add fencing requirements to the zoning ordinance. Currently there are no regulations regarding fencing in the ordinance, except when associated with a special use.

A legal notice was published in the Elk Rapids News on May 15, 2025.

Below is the proposed language:

Amend Section 117.206 to add:

Fence: A structure or barrier, constructed of wood, metal or other durable parts, rails, boards, wire mesh, etc., and used to mark a boundary or to define and enclose a specific area for the purpose of protection, privacy or confinement. Railings, along or adjacent to front stoops, porches, steps, landings, culverts, or bridges, shall not be considered as fences under this definition.

Amend Section 117.326 to add:

Section 117.326 Fences

Fences located in all districts, except for Agricultural (A), shall comply with the following regulations:

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

734.663.2622 ph
734.663.6759 fx

Petoskey Office
113 Howard Street
Petoskey, MI 49770

231.347.2523 ph
231.347.2524 fx

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

231.933.8400 ph
231.944.1709 fx

Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph

- a. Location. Fences shall not be located outside or beyond the property or lot lines of the lot upon which said improvement shall be placed. Fences shall not be located within the shoreline protection strip or below the ordinary high water mark.
- b. Height. Fences shall not exceed eight (8) feet in height along the front, side, and rear property lines. Within fifty (50) feet of the shoreline, fences shall not exceed (4) feet in height.
- c. Waterfront Fences. Within fifty (50) feet of the shoreline, no solid fences shall be allowed. Fences shall possess forty (40%) percent or more opacity within the waterfront setback.
- d. Materials. Fences shall be made of safe, durable materials. Fences shall not be made of or include barbed wire, razor wire, electrified materials, or any other dangerous material except for when used for keeping of animals or agricultural products or when such material is allowed in the commercial or industrial districts upon approval by the Planning Commission. The use of pallets, slab wood, plastic, or other material not intended for fencing shall be prohibited.
- e. Maintenance. All fences and walls shall be maintained in good condition so as not to create a hazard, public nuisance, or blight in the surrounding neighborhood. Missing fence pieces, leaning or fallen portions of a fence , or other forms of deterioration shall be immediately repaired or replaced.
- f. Permit. No permit shall be required for the installation of a fence.

i
initiative

Date: 5.28.2025
From: Sara Kopriva, AICP
To: Milton Township Planning Commission
Project: ZO 2025-02 Taxes Paid Before Permit Amendment



Possible Motion: Motion to recommend approval of ZO 2025-02 regarding taxes being paid to the Township Board

At the May Planning Commission meeting, a motion was made to hold a public hearing on the following language. Notice of the public hearing was published in the Elk Rapids News on May 15, 2025.

XX TAXES & OTHER MONIES OWED

When the Township receives an application for any new or amended zoning permit, site plan review, special use permit, any other application, or any request for a permit or approval required by this Ordinance, the applicant shall be required to present a signed statement from the Township Treasurer that all real and personal property taxes, fees, penalties, fines, assessments, general assessments, and other monies owed are current and paid up to date, if the due date has passed. This includes current year and any previous 5 years. The Township Treasurer's signed statement shall cover the accounts of all named applicants and all properties upon which the application or request is made. The Township shall take no action on any application or request until the applicant or requesting party acquires the Township Treasurer's signed statement that all of the above monies owed are current and paid up to date. The Township shall make no final decision on any application or request if any of the above monies owed become delinquent or remain unpaid during consideration.

Beckett & Raeder, Inc.
535 West William
Suite 101
Ann Arbor, MI 48103

734.663.2622 ph
734.663.6759 fx

Petoskey Office
113 Howard Street
Petoskey, MI 49770

231.347.2523 ph
231.347.2524 fx

Traverse City Office
148 East Front Street
Suite 207
Traverse City, MI 49684

231.933.8400 ph
231.944.1709 fx

Grand Rapids Office
5211 Cascade Road SE
Suite 300
Grand Rapids, MI 49546

616.585.1295 ph