

**Village of Lexington
Public Hearing and
Planning Commission Regular Meeting
Village Hall, 7227 Huron Ave., Lexington, MI 48450
Monday, June 2, 2025
7:00 PM**

CALL TO ORDER PUBLIC HEARING: Wil Morris

The purpose of the public hearing is to take comments on proposed amendments to the following sections of the Village Zoning Ordinances, Article 8 Signs, (Section 8.6 Specific Requirements for Wall & Free-Standing Signs & Section 8.6.1 District, Height, Width Requirements & Area regarding Murals) & Article 3 Administration & Enforcement (Section 3.4 3) & Article 5 General & Special Provisions, (Section 5.7.10 Mobile Home Park Requirements), Article 5 General & Special Provisions, adding a proposed adoption of (Section 5.30 – Solar Energy Systems) & Article 5 adding a proposed adoption of (Section 5.31 - Chickens).

CLOSE THE PUBLIC HEARING: Wil Morris

CALL TO ORDER REGULAR MEETING: Wil Morris

ROLL CALL: Beth Grohman

Members:	Ziegler	Stencel	Roehl	Dost
	Regan	Morris	Ehardt	Perry

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

Motion to approve the minutes of the Regular Meeting of May 5, 2025.

Pages

PUBLIC COMMENT: (3-minute limit)

ZONING ADMINISTRATOR'S REPORT

OLD BUSINESS

Pages

1. Consider updates to zoning ordinance for Murals (Sec. 8.6.1)
2. Consider updates to zoning ordinance for Administration & Enforcement (Sec. 3.4.3)
3. Consider adding to zoning ordinance for Chickens (Sec. 5.31)
4. Consider adding to zoning ordinance for Solar & Battery Storage (Sec. 5.30)
5. Consider updates to zoning ordinance for Mobile Home Park Requirements (Sec 5.7.10)

NEW BUSINESS

PUBLIC COMMENT: (3-minute limit)

ADJOURNMENT

VILLAGE OF LEXINGTON
Planning Commission Regular Meeting
Village Hall
7227 Huron Avenue, Lexington, MI
May 5, 2025 7:00 p.m.

Regular Meeting called to order at 7:00 p.m. by Chairman Ziegler

Roll Call: Vicki Scott, Clerk

Present: Ziegler, Regan, Stencel, Roehl, Ehardt, Muoio, Perry

Absent: Morris

Attendance: Morris did notify the Clerk of his absence

Others Present: L. Fisher, M. McGovern

Approval of Agenda:

Motion by Roehl, seconded by Regan, to approve the agenda as presented.

All Ayes

Motion carried

Approval of Minutes:

Motion by Stencel, seconded by Roehl, to approve the minutes of the Regular Meeting of February 3, 2025, as presented.

All Ayes

Motion carried

Public Comment:

- None

Zoning Administrator's Report:

L. Fisher explained the zoning administrator's report and answered questions. Fisher explained we had 12 land use permits issued since last meeting, 7 have been in the mobile home park. For ordinance enforcement, I have been handling some of it, technically the police have taken it over. I have asked Council to allow us to bring on a special ordinance enforcement person. He does Croswell and Port Sanilac and willing to work in our price range. This would be to help with the harder cases we have such as Gielows or Conley. He is a retired police officer from Saginaw. The Master Plan expires this year. It doesn't need much to update it. We have to add some housing information per the State as well as a survey. Fisher stated we can do this in house. Fisher has been in touch with EGLE with regard to Gielow discharging. A reminder that everyone needs 4 hours of continuing education. We hope to have a public hearing in June regarding the ordinance reviews below. Roehl asked if anyone has gone out to the Gielow plant on M-25 to see if they are complying with the stipulations, we put on it with the site plan. Fisher reported the unshielded lights are not on the site plan, most of the berm structures are in place. They got in trouble with EGLE due to wet lands. I don't think when they agreed to the site plan that they realized they were signing on to \$75,000.00 worth of pine trees. Roehl stated they agreed to that. Roehl asked for a copy of the land use permits. The garage on Lake & Washington looks closer than the 5 ft. to the lot line. Fisher stated they were told about the set back. Fisher explained it should fall on the County to follow up on.

Motion by Ehardt, seconded by Stencel, to approve the zoning administrator's report as presented.

All Ayes

Motion carried

Old Business:

1. Ordinance Review –

- a) **Murals – Section 8.6.1** – Roehl explained we have not made any changes since we reviewed it at our February meeting. Roehl explained the changes that the committee is recommending. We recommend allowing murals with a special land use permit. Fisher explained the major changes are; it doesn't require a site plan review, the owner shall assume responsibility in writing, a mural and wall sign cannot exist on the same wall, advertising is not permitted, and it must comply with our lighting ordinance. The changes also require some definitions to be changed as well. Fisher suggested the Public Hearing take place at the June 2, 2025 Planning meeting.
- b) **Chickens – Add New** – Board members discussed adding this new ordinance as it would only be allowed in certain zoning districts. Roehl suggested changing from 4 hens to 6 hens. Ehardt suggested fixing the typo to read one and one quarter inch. Those were the only two changes since February meeting. Ziegler is not comfortable with the 50 ft. from the next house. Most other communities have between 25 ft.-30 ft. from the next house. Board members agreed to 25 ft. from the next house. Board members discussed and agreed that existing chicken owners would be grandfathered. Fisher explained we do not have the yearly permit made yet. The fee should be very minimal and included on the fee schedule each year. Board members agreed the permit fee should be \$10.00.
- c) **Solar and Battery Storage – Add New Section 5.30** – Roehl explained no changes have been made since the February meeting when we review it. Ziegler asked how long the abandoned period should be. Regan explained it is addressed under #4 definitions. Discussion followed on screening requirements, panels should not exceed 6 ft.
- d) **Mobile Home Park Requirements – Section 5.7.10 (14-16)** – We did not add anything to 5.7.10 General Provisions. We eliminated #14, and changed #15 to allow spray painting and changed it from contractor to homeowner is liable for any damage due to overspray. Discussion on overspray. The permit could require notifying the neighbors. Item #16 language will fall in line with the county where renovations or repairs do not need to be completed by a licensed contractor.

New Business:

1. **Budget** – Fisher explained for revenue from the MISDA grant. Contracted services were increased to handle the master plan update. I included \$15,000.00 for wages, this is yet to be determined how this would be allotted out.

Public Comment –

- Dennis Klaas (5408 Union) – commented on a concern with a property Gus Llernas has on Boynton St. I understand there is a video golf and pickleball being done there. This would require a special land use permit to run this type of business. The portable dumpster business being run out of there, that is not a business that qualifies under the CBD zoning ordinance.

Correspondence – Thank you letter from the Lexington Arts Council

Adjournment – Ziegler adjourned the meeting at 8:30 p.m.

Respectfully submitted,
Vicki Scott



4. A free-standing sign which advertises multi-businesses located on that property may have a sign one hundred fifty (150%) percent larger than otherwise permitted. The supporting structure shall not be more than one (1) foot higher than the height of the permitted sign.
5. Signage on awnings is regulated as wall signs except where the signage is limited to the height and width of the awning rather than the supporting wall.

6. SEC. 8.6 SPECIFIC REQUIREMENTS FOR WALL SIGNS, FREE-STANDING SIGNS, & MURALS

Wall signs, Free-Standing signs, and murals shall be permitted by the District in accordance with the following regulations:

8.6.1 District, Height, & Width Requirements & Area:

Type of Sign/District	Maximum Height & Width	Maximum Area and Additional Requirements
Wall and Free Standing Signs: All non-residential permitted and special uses such as schools, churches, parks and municipal buildings within the AG, R-1, R-2, R-3 and MHP Districts.	Six (6) feet in height and Eight (8) feet in width	One (1) square foot for each lineal foot of building wall not to exceed a total of twenty-four (24) square feet.
Free Standing Signs: Identification signs for residential developments within the AG, R-1, R-2, R-3 and MHP Districts.	Four (4) feet in height and six (6) feet in width	Twenty-four (24) square feet.
Wall Signs: CBD, C-MU and G-MU Districts	Four (4) ft. in height and eight (8) ft. in width	1) Not to exceed fifteen percent (15%) of the net wall surface (per side) or thirty-two (32) square feet, whichever is less. 2) Signage shall be addressed in the site plan, including: a detailed schematic of the proposed sign, dimensions, a color rendition of the completed sign and all detail for lighting. (if any) 3) No flashing or blinking lettering or graphics 4) The premises shall have no current zoning violations. 5) A written maintenance plan must be on file in the Village office.



3.3.5. Reapplication

No application for a special land use permit, which has been denied wholly or in part, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission.

SEC. 3.4 SITE PLAN REVIEW

The Planning Commission shall have the authority to review and to approve or reject all site plans (i.e. preliminary, final, and combined site plans). Prior to the issuance of land use permits, building permits or commencement of construction, a site plan review and approval is required in accordance with the procedures contained in this section.

3.4.1. Where required.

1. Site plan review is required for all new construction of any nonresidential building or structure on any parcel and for any new residential development (single-family, two-family or multiple-family). All such construction or developments shall be consistent with the purpose of this Ordinance as presented in [Section 1.2](#) of this Ordinance.
2. Site plan review is required for all proposed uses and certain existing uses within the Village where an alteration, addition, expansion, change, or conversion constitutes an increase or reduction to the existing structure or use of more than five hundred (500) square feet or ten (10%) percent, whichever is less; or would require a variance from the provisions of this Ordinance, regardless of its size, or if there is a change of use from the existing use. Site plan review shall also be required prior to the paving of any off-street parking for any use for which off-street parking is required by this Ordinance, or for the construction of new parking lots or driveways.
3. A full site plan reviewed and approved by the Planning Commission shall not be required for individual single-family dwellings, additions to single-family dwellings, decks, porches, residential accessory storage, garages or murals. However, a plot plan shall accompany a land use permit application to be reviewed and approved by the Zoning Administrator to ensure such improvements meet all of the requirements of this ordinance.
4. Design Review for Cottage Lots. In the case of additions to or new construction of a single-family residential dwelling, garage, accessory buildings, decks, or porches on a cottage lot as defined and deemed a legal lot of record, a design review shall be completed by the Zoning Administrator and the Planning Commission in accordance with the following procedures:

Sect 8.6.1 District, Height, Width, and Area Requirements

1. Requires a Special Land Use Permit but without the need for a Site Plan.
2. A detailed drawing of the mural and exact specifications, including placement on the building and lighting if applicable, must be provided with the Special Land Use Permit for approval.
3. A maintenance plan must be provided with the Special land Use Permit and include, but not limited to, the corrective actions, and timeline to perform the actions, if the mural is damaged or defaced in any manner.
4. The property owner shall assume, in writing, full responsibility for the maintenance, restoration, and removal of the mural. If the burden is placed on the Village, the method of said maintenance, restoration, and removal shall be at the discretion of the Village and the property owner will be assessed for all related fees and costs.
5. The placement of the mural shall not endanger traffic safety, public health, safety, or general welfare.
6. The building shall have no uncorrected current zoning violations, nor shall the mural be placed on any building or structure that includes non-conforming signs.
7. The mural, and its location, shall be appropriate in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area.
8. A mural and a wall sign cannot exist on the same wall.
9. Advertising of specific services, goods, products, businesses, events, or political messages is not permitted.
10. The mural must be static. If illuminated, the mural shall be indirectly lit and must comply with Article 6 Section 8.2.2 (Glare and Exterior Lighting). No flashing or blinking lights or graphics.
11. Any digital link on or in the proximity of the mural shall be under the control of the village and shall be no larger than 12" square.

5.31 Keeping of Fowl

The keeping of female chickens (hens) is permitted in any zoning district, except CBD, as an accessory and personal use, subject to the requirements of this Section. The keeping of any other type of fowl, including male chickens (roosters) is prohibited. Slaughtering of any fowl on the property is prohibited.

1. Licensing and Inspection.

- a. An approved permit application must be obtained from the Village prior to acquiring any hens.
- b. Permits shall be non-transferable, site-specific, and shall expire on December 31 of the year in which it was issued. A person who wants to continue keeping hens must obtain a new permit prior to expiration of the previous permit.
- c. Approved permit holders shall schedule an inspection within thirty (30) days of permit issuance. Failure to schedule an inspection shall result in an automatic suspension of the permit. If an inspection identifies noncompliance with any of the requirements set forth in this Section, the permit holder shall have fourteen (14) days after being served with written notice of non-compliance to achieve compliance with the requirements.
- d. Notwithstanding this section, private restrictions on the use of property shall remain enforceable. Private restrictions include but are not limited to deed restrictions, leases, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restrictions is the sole responsibility of the private parties involved.

2. Requirements.

A person who keeps hens shall comply with the following requirements:

- a. Keep no more than six (6) hens at any time.
- b. Hens shall be maintained in a fully enclosed structure (coop) with or without a fenced enclosure (run) at all times. Coops shall be constructed of permanent materials and shall be properly maintained. Runs may be wire mesh with openings no larger than one and one quarter (1 ¼) inch.
- c. All coops and runs shall be maintained in the rear yard only as defined in this Zoning Ordinance and shall comply with all fencing and lot coverage requirements of this Zoning Ordinance. Also, all coops and runs shall not be located any closer than twenty-five (25) feet from any residential structure on adjacent property.

- d. All coops and runs shall be so constructed or repaired as to prevent rats, mice, insects, and other vermin from being harbored underneath, inside, or within the walls of the coop or fenced enclosure. All feed and other items associated with the keeping of hens that are likely to attract or to become infested with or infected by vermin shall be protected and/or sealed so as to prevent vermin from gaining access to or coming into contact with them.
- e. Hens shall be kept in compliance with the Michigan Department of Agriculture Generally Accepted Agricultural and Management Practices for the Care of Farm Animals, as it relates to egg laying chickens, as amended, except as otherwise provided in this section.

3. Violations.

If any of the requirements in this section are not fully complied with, the Village may revoke any Permit granted under this section and/or initiate prosecution for a civil infraction violation. A Permit may also be revoked if the proposed use causes a nuisance to adjoining residences due to noise or odor.

Section 5.30 Solar Energy Systems

5.30.1. Definitions

1. **BATTERY ENERGY STORAGE SYSTEM (BESS):** One or more devices, assembled together, capable of storing and discharging electricity primarily intended to supply electricity to a building.
2. **PHOTOVOLTAIC DEVICE:** A system of components that generates electric energy from incident sunlight by means of the photovoltaic effect, regardless of whether the device can store the electric energy produced for later use.
3. **SOLAR ARRAY:** Any number of photovoltaic devices connected together to provide a single output of electrical energy or other energy.
4. **SOLAR ENERGY SYSTEM, ABANDONED:** Any Solar Energy System, Solar Array or combination of Photovoltaic Devices that remains nonfunctional or inoperative to the extent that it is not used to generate electric energy for a continuous period of twelve (12) months.
5. **SOLAR ENERGY SYSTEM, LARGE SCALE:** A utility-scale solar energy system where the primary use of the land is to generate electric energy or other energy by converting sunlight, whether by photovoltaic devices or other conversion technology, for the sale, delivery or consumption of the generated energy by more than one end-user, and the power output of that system is equal to or greater than 25 kilowatts.
6. **SOLAR ENERGY SYSTEM, SMALL SCALE:** A solar energy system where the sole use is to generate electric energy or other energy by converting sunlight, whether photovoltaic devices or other conversion technology, primarily for consumption by a single end user at the same property upon which the solar energy system is located. The power output of the system shall not exceed 25 kilowatts.

5.30.2. Small Scale Solar Energy Systems

Small scale solar energy systems are permitted by a land use permit only as an accessory use in any zoning district, subject to the following standards:

1. Any small scale solar energy system mounted on the ground shall be located only in the rear yard and must comply with all accessory structure setback and lot coverage requirements of the district. The height of any small scale solar energy system mounted on the ground shall not exceed six (6) feet when orientated at a maximum tilt as measured from the existing grade.
2. Any small scale solar energy system mounted on the ground shall be provided with buffering to screen the installation from adjacent properties. Buffering shall consist of an opaque fence not to exceed six (6) feet in height or evergreen shrubs along the length of each of the sides of Evergreen shrubs shall be at least six (6) feet in height and spaced to maintain a minimum opacity of eighty percent (80%). Opacity shall be measured by observation of any two (2) square yard area of landscape screen between one (1) foot above the established grade of the area to be concealed and the top or the highest point of the required screen. The plantings must meet this standard based upon reasonably anticipated growth

over a period of three (3) years.

the area utilized for solar panel arrays. 3. All power transmission lines from a ground mounted small scale solar energy system to any building, structure, or BESS shall be located underground.

4. Any small scale solar energy system erected on a building shall not extend beyond the peak of the roof. For systems erected on a flat roof, the highest point of the system shall be permitted to extend up to six (6) feet above the roof to which it is attached; however, it shall be so located or architecturally concealed by a parapet wall or screen so that the system is not visible from abutting road rights-of-way or private road easements.
5. No small scale solar energy system shall be installed in such a way as to pose an unreasonable safety hazard:-
6. All small scale solar energy systems must be installed in a manner ensuring that concentrated solar glare shall not be directed onto nearby properties or roadways.
7. All small scale solar energy systems must conform to all applicable federal, state, and county requirements, in addition to other applicable Village Ordinances, as well as any applicable industry standards.
8. An abandoned small scale solar energy system, as defined in this Ordinance, shall be removed by the property owner within six (6) months.

5.30.3. Large Scale Solar Energy Systems

Large scale solar energy systems are not permitted as a primary or accessory use in any zoning district, except on municipal-owned property.

5.7.1. General Provisions:

1. Obstructions – there shall be no obstructions of any form within ten (10) feet of the adjacent mobile home, including an attached structure that may be used for living space.
2. Mobile homes must be kept in a well-maintained condition. The lot shall be kept neat, mowed, and clear of all debris.
3. The storage of flammable, combustible or hazardous material is expressly forbidden. The use of ancillary propane fuel, fuel oil or kerosene heaters in the mobile is prohibited. Propane cylinders for outdoor grills are allowed.
4. Air conditioners must be in working order and free of rust, loose covers, and faulty connections. All window units must be self-supported.
5. No outdoor aerials or towers are permitted. Satellite dishes and digital antennas up to twenty-four inches (24") in diameter and attached to the mobile are permissible.
6. No windows or doors should be covered with foil, paper, cardboard, or metal.
7. Free-standing steps must be constructed of pre-cast concrete, vented fiberglass, metal, or treated lumber and must include handrails. A permit is required for new/or replacement steps. Steps installed in conjunction with a new set up are included in the original permit.
8. Ice and snow removal from sidewalks and driveways is the sole responsibility of the tenant.
9. Decks and porches must be of a design approved by the Village and shall include a handrail. A permit is required.
10. Screened-in porches must be factory installed and readily removable. A permit is required.
11. A temporary canopy may be erected for recreational use only. It may not be used for a sleeping area. The canopy must be removed when the tenants are not in residence.
12. Children's swing sets are not permitted.
13. Skirting is required on all mobiles. The skirting may be of aluminum or vinyl and must be installed within 30 days of the installation of the mobile.
- ~~14. All mobiles are required to have life, safety, and habitability inspection every five (5) years. The cost of the inspection Fifty Dollars (\$50) will be the obligation of the tenant and shall be paid within ten days (10) of billing. Any safety deficiencies shall be corrected within ninety days (90) of the inspection. Verification of corrections will be copied to the Village. Written notice will be sent by the Village prior to the inspection to establish an appointment time.~~
15. ~~Spray painting of any kind is expressly prohibited.~~ Spray painting of mobile homes or accessory buildings may only be done by insured contractors and requires a Village permit. Homeowner is liable for any damage due to overspray.
16. ~~All renovations or repairs of a mobile must be completed by a licensed contractor.~~ Renovations or repairs requiring a permit (building, electrical, mechanical, plumbing, land use) must be performed

to meet Construction Code under Michigan Construction Act as administered by Sanilac County.

17. Campfires shall be in an enclosed fire pit which must have a lid and be a minimum of four feet (4') from any mobile. There shall be no open fires. Fireworks are not allowed anywhere in the Park.
18. Fencing is not permitted on mobile home lots.