

May 31, 2011 Algansee Township Planning Commission Meeting Minutes

1. On Monday, May 31, 2011 at 7:30 p.m. Chairman Rodney Carpenter called the regular meeting of the Algansee Township Planning Commission meeting to order at the Algansee Township Hall, 378 South Ray Quincy Road, Quincy, Michigan. All members were present Rodney Carpenter, Pricilla Dodd, Amos Barnett, Mick Belcher, and Glenn Preston.

2. Minutes- Amos Barnett motioned to approve last meeting minutes, April 25, 2011 Algansee Township Planning Commission. Support by Pricilla Dodd. Motion carried.

3. Agenda- Amos Barnett motioned to approve the agenda. Support by Pricilla Dodd. Motion carried.

4. Old Business- none

5. Report from Township Representative- Mick Belcher reported the Algansee Township Board will receive the sewer study from Wightman and Associates.

6. Report from Zoning Board of Appeals- Pricilla Dodd reported they didn't meet.

7. Report from Zoning Administrator- Zoning Administrator Russ Jennings reported he issued 1 permit for the month of May for a deck. There are a couple new home proposals.

8. Public Comment- Bill Sackett, 223 Donnell Drive, said there is a trailer at the end of Bickford Drive that has been there for three years. Whose property is it? Supervisor Tom Morgan said he, the township Assessor Erica Ewers and the Zoning Administrator Russ Jennings will handle it.

9. Special Use Public Hearing for Larry Avery, 1064 Fisher Road, tax ID# 120-003-400-005-00- Larry Avery requesting a special use permit for a land split of 1.78 acres on the 40 acres under section 4.03 (L) Single Family Dwelling on Less than 40 acres.

Opening Statement- Larry Avery is requesting a special use permit for a land split of 1.78 acres on the original 40 acre parcel under section 4.03 (L). He'll keep the house and building on the 1.78 acres and sell the rest of the property. Zoning Administrator Russ Jennings said the new 1.78 acres meets all of the set back requirements.

Public Comment- none

Closing Statement- Larry Avery would like a special use permit for a land split of 1.78 acres on the original 40 acre parcel under section 4.03 (L) as soon as possible, tax ID# 120-003-400-005-00.

Questions from the Planning Commission- none

Planning Commission Review of Facts and Findings- Planning Commission Secretary Glenn Preston read Zoning Requirements: Chapter 4- Agricultural Zoning District Section 4.03 L and Section 18.04 as follows:

Zoning Requirements: Chapter 4- Agricultural Zoning District

Section 4.03 L- Single Family dwellings on less than forty (40) acres provided the following conditions are all satisfied:

L. Single-family dwellings on less than forty (40) acres provided the following conditions are all satisfied:

1. Minimum Lot Size: The minimum lot size for a single-family dwelling shall be one (1) acre in area.

2 Density: The number of dwellings permitted on the site shall be based on the overall size of the site, as of the effective date of this Ordinance, June 13, 2008. Dwellings existing on the site shall count towards the total number of dwellings permitted to be located on the site. Dwellings not located on the site or lot splits that occurred prior to June 13, 2008 shall not be considered when calculating the permitted density. For each whole 10 acres of land, not more than one dwelling shall be permitted. (Sites less than 10 acres in size shall be permitted one dwelling unit.) [Amended 8/3/09; Ord. #105]

a. With approval of the special land use permit, a 50 acre parcel would be permitted a dwelling unit and four additional lots with dwelling units. A 30 acre parcel would be permitted a dwelling unit and two additional lots with dwelling units.

b. As a condition of approval of the special land use permit, the Planning Commission shall require that the applicant record documents for each of the parcels being created, including the parent parcel, at the County Register of Deeds boldly noting the information listed below and submit copies of the registered documents to the Township. The documents may include the

deed for the property, a quick claim deed back to the property owner, or an easement on the property with the information / conditions provided below:

- (1). This section of the Ordinance and the date of approval of the Planning Commission;
 - (2). The size of the original parent parcel as of the date of application
 - (3). The number of parcels being created; and
 - (4). The number of additional parcels for dwellings that may be created under the required density formula.
 - (5). These items must be shown on the deed submitted to the Township with the land division approval and reviewed for compliance with the requirements of this section prior to approval of the land division by the Township Supervisor.
3. When new lots are created through the special land use permit approval that are four acres in size or smaller, the lots shall be clustered together to minimize the loss of farmland and to maintain large, contiguous areas of open space and farmland.
- a. To be clustered together, lots shall be located adjacent to one another with shared property lines.
 - b. Where there is an existing dwelling on the property, the new lots shall be located adjacent to the existing dwelling to include it in the cluster. Where there is not an existing dwelling, the new lots shall be located adjacent to the side property line, particularly one where dwellings may already exist.
 - c. In order to maintain vast areas of open space and farmland in the Township and rural vistas from the roadways, the lot size of the new parcels created shall be minimized. The Planning Commission shall consider the existing use of the property, the viability of the land for agricultural use, and the intention of the application for the use of the property when reviewing the application. The Planning Commission may require the reduction of lot sizes if the application is contrary to the intent of the Master Plan and Zoning Ordinance.
 - d. The cluster of lots should be located along the adjacent public road.
 - e. New dwellings created as a result of this process should be accessible to the adjacent public road by a shared driveway or common access point.
 - f. Where natural features or other external characteristics prevent these standards from being satisfied or create situations where alternative designs would provide higher quality development satisfying the goals and intent of this district, the Planning Commission may modify the above standards.

Section 18.04 Approval or Denial of Special Use Permit

A. **Approval or Denial.** At or after the public hearing, the Planning Commission shall consider the application in regard to each of the standards set forth in Section 18.03. If the Planning Commission finds that the proposed use complies with each standard then the Planning Commission shall approve the special use permit. If the Planning Commission finds that the proposed use does not comply with one or more of the standards then the Planning Commission may deny the special use permit. The decision on the special use permit shall be incorporated into a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed.

B. **Conditions.** In approving a special use permit, the Planning Commission may impose conditions related to the standards set forth in 18.03 in order to minimize impacts to adjacent and nearby properties, to assure good planning and orderly development, and to protect the health, safety and welfare of the community.

C. **Re-Application.** An application for a special use permit that is substantially the same as a special use permit that has been denied by the Planning Commission, shall not be filed and shall not be accepted by the Planning Commission within twelve (12) months of the date of denial.

Newly created parcel meets minimum lot size, 1.78 acres and meets road frontage, 264 feet. The newly created parcel meets all set back requirements. Amos Barnett motioned to approve the special use permit. Support by Mick Belcher. Motion carried.

New Business- Amos Barnett motioned to approve Ordinance 107, Wireless Telecommunications Facilities Siting Ordinance. Support by Mick Belcher. Motion carried. Public hearing to be held on June 27, 2011 at 7:30 at the regular meeting.

Zoning Administrator Russ Jennings reported on his training he received. He would like to keep a log on phone calls and would like to revise some of the forms the township has.

10. Public Comment- none

Adjournment- Amos Barnett motioned to adjourn. Support by Mick Belcher. Motion carried. Next meeting date will be Monday, June 27, 2011 at 7:30 p.m. Meeting adjourned at 9:05pm.

Glenn Preston, Secretary