

## May 29, 2012 Algansee Planning Commission Minutes

**1. On Tuesday, May 29, 2012 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 present Rodney Carpenter, Amos Barnett, Pricilla Dodd, Mick Belcher and Glenn Preston.

**2. Minutes-** Amos Barnett motioned to approve the last Algansee Township Planning Commission meeting minutes, April 30, 2012. Support by Mick Belcher. Motion carried.

**3. Agenda-** Glenn Preston motioned to approve the agenda. Support by Amos Barnett. Motion carried.

**4. Old Business-** update on Massey property, the Amish backed out and Rodney Carpenter is buying the property.

**5. Report from Township Representative-** Mick Belcher reported nothing to report.

**6. Report from Zoning Administrator-** Zoning Administrator Russ Jennings reported he and Pricilla Dodd have organized and filed the old zoning permits. Russ Jennings said he issued 6 permits for the month of May.

**7. Report from Zoning Board of Appeals-** they didn't meet this month.

**8. Public Hearing for Special Use Request for James Schafer, 416 S. Fremont Rd., property code #120-019-100-0303-00.** He would like to the split dwelling and other building equaling 10 acres from the 39.7 acre parcel under 4.03 L, then he would sell the 10 acre parcel.

No questions

**Public Comment-** none

**Closing statement-** He would like to sell 10 acres and keep the 29.7 acres.

**Section 4.03 Uses Permitted by Special Use Permit** The following uses and structures are permitted in the AG zoning district only after the approval of a Special Use Permit in accordance with the requirements of Chapter 18, and in accordance with Section 4.04 and any other applicable provisions of this Ordinance (*see also Section 17.02*):

**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.

### **Section 4.04 Development Standards**

All lots, building and structures in the AG zoning district shall comply with the minimum standards set forth in this section. Furthermore, no zoning permit shall be issued for any development unless and until it has been demonstrated that the proposed development shall be in compliance with the development standards set forth below.

#### **A. Minimum Lot Dimensions**

1. LOT AREA – The minimum lot area shall be 40 acres, unless otherwise approved as provided above.

a. Each dwelling shall be located on a lot of record.

b. Each lot of record shall have no more than one (1) dwelling.

c. There shall be no minimum lot area for one (1) single family dwelling on any lot that was a lot of record as of November 1980, provided that the minimum yard requirements are met.

d. A lot less than 40 acres may be created and/or a dwelling may be located on a lot that is less than 40 acres without a special land use permit if that lot is an entire quarter-quarter section or a half of a half of a section.

2. LOT WIDTH – The minimum lot width shall be one-hundred (100) feet.

3. MINIMUM FRONTAGE – Each lot shall have a minimum lot frontage of at least one-hundred (100) feet along the road.

**B. Minimum Yard Requirements**

1. FRONT YARD – Any and all front yards shall be at least fifty (50) feet in depth from the front lot line. (See also Section 13.13)

2. REAR YARD – Any and all rear yards shall be at least twenty (20) feet in depth from the rear lot line.

3. SIDE YARD – Any and all side yards shall be at least twenty (20) feet in depth from the side lot line.

**C. Building and Structure Standards**

1. HEIGHT – No building or structure shall exceed thirty-five (35) feet in height with the exception of structures used solely for agriculture.

2. MINIMUM FLOOR AREA – Each dwelling unit shall have a minimum floor area of one-thousand (1000) square feet.

**Section 18.03 Standards for Approval of Special Use Permits**

At the public hearing the Planning Commission shall review the application for a special use permit in regard to the standards set forth in this Section. No special use permit shall be approved by the Planning Commission unless it finds that the proposed use will comply with all of the following standards.

**A.** The proposed special land use shall be compatible with and in accordance with the general principles and future land use configuration of the Township Master Plan and shall promote the intent and purpose of this Ordinance. -Yes

**B.** The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and zoning of land. The property shall be of sufficient size to accommodate the proposed use in compliance with the required development standards of the applicable zoning district without a variance. All aspects of the proposed use, including parking, storage and lighting, shall be accommodated on the subject lot and within the same zoning district. - Yes

**C.** The proposed use shall be designed, constructed, operated and maintained so as to assure long-term compatibility with surrounding land uses. Consideration shall be given to:

1. The size, placement, and materials of construction of the proposed use in relation to surrounding uses. -N/A

2. The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping. -N/A

3. The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development. -N/A

4. The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses- N/A

**D.** The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. Consideration shall be given to the following:

1. Proximity and access to major thoroughfares. N/A

2. Estimated traffic generated by the proposed use. N/A

3. Proximity and relation to intersections. N/A

4. Location of and access to off-street parking. N/A

5. Required vehicular turning movements. N/A

6. Provision for pedestrian traffic. N/A

**E.** The proposed special land use shall be consistent with existing and future capabilities of public services and facilities affected by the proposed use. Yes

**F.** The proposed use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental to public health, safety, and welfare. Site layout shall be such that operations will not be objectionable to nearby dwellings by reason of noise, fumes, glare, or flashing lights. – N/A

**G.** The proposed use shall be compatible with the natural environment in regard to the preservation of wetlands, minimization of storm water runoff and erosion. Yes

**H.** The proposed use shall provide safe and adequate off-street parking if required in accordance with Section 14.06. – N/A

**I.** The proposed use will provide adequate landscaping if required in accordance with Section 17.05. N/A

**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.

Amos Barnett motioned to allow the special use permit with signed affidavit with 2 more splits remaining on the 29.7 acres. Mick Belcher supported the motion. Motion carried.

**9. New Business-** Bill Thayer 722 East Channel Drive boat house. Zoning Administrator Russ Jennings explained the boat house is a nonconforming use and he explained the Zoning Board of Appeals options.

Supervisor Tom Morgan reported the State is requiring townships to check permits of septic tanks in townships. Discussed the Junk ordinance.

**10. Public Comment-** none

**11. Adjournment-** Next meeting date will be Monday, June 25, 2012 at the Alganssee Township Hall at 7:30 p.m. Mick Belcher motioned to adjourn. Support by Amos Barnett. Motion carried.

Glenn Preston, Secretary