

November 25, 2013 Algansee Planning Commission Minutes

1. On Monday, November 25, 2013 at 7:15 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, Chairman Rodney Carpenter, Vice Chairman Pricilla Dodd, Rick Coon, Township representative John Shilling and Secretary Glenn Preston.

2. Agenda- Glenn Preston motioned to accept the agenda as written except move Mark & Jennifer Milligan's public hearing special use request to number 3 on the agenda. Support by John Shilling. Motion carried.

3. Public Hearing for a Special Use Request under Chapter 4- 4.03L for Matthew and Jennifer Milligan- 241 Brocklebank Road, Quincy, Michigan property code #120-008-200-005-00

Opening statement- Matthew Milligan said he would like to split off 10 acres from his 117 acre parcel to receive a loan from the bank to build a new house south and east of their existing house that they will demolish after the new house is built. The bank won't finance any parcels bigger than 10 acres, so that is why they are requesting the special use request.

Public comment- there wasn't any.

Closing statement- they are requesting the split to obtain funding for a new home.

Rick Coon read from the Algansee Township Zoning Ordinance- as follows-

Facts and Findings- Section 4.03 Uses Permitted by Special Use Permit 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. ~Yes~

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 requirements of this section prior to approval of the land division by Township Supervisor. ~ 10 acres~

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. ~ will comply when new home is built~

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. ~Will be met with permit~

2. The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping. ~Not applicable~

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

~ Not applicable~

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. ~Not applicable~

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: ~Not applicable~

1. Proximity and access to major thoroughfares.

2. Estimated traffic generated by the proposed use.

3. Proximity and relation to intersections.

4. Location of and access to off-street parking.

5. Required vehicular turning movements.

6. Provision for pedestrian traffic.

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. ~Not applicable~

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. ~Not applicable~

I. The proposed use will provide adequate landscaping if required in accordance with Section 17.05. ~Not applicable~

Glenn Preston motioned to approve the special use request for Matthew and Jennifer Milligan after affidavit is signed because it meets the facts and findings. Support by Rick Coon. Motion carried.

Minutes- Pricilla Dodd motioned to approve the last Algansee Township Planning Commission meeting minutes, October 28, 2013. Support by Rick Coon. Motion carried.

4. Old Business- Zoning Administrator Amos Barnett reported he received a letter from Laurie A. Billman, 555 South Ray Quincy Road, property code #120-027-100-020-00 + #120-027-300-005-00, with drawing her request to have a store in the basement of her house, the Wilkinson's haven't called about their finished driveway off of Fisher Road and Joe Girod needs to send a notarized letter about his land split.

5. Report from Township Representative- John Shilling reported he didn't have anything to new to report.

6. Report from Zoning Administrator- Zoning Administrator Amos Barnett reported he had issued 3 permits in the month of October.

7. Report from Zoning Board of Appeals- Pricilla Dodd reported they met on November 7, 2013 about the Paul Schmucker Jr. on Grove Road and issued an 11 foot variance.

8. New Business- Discussion with Township Planner Christopher Khorey about non-public schools in the Ag District. Glenn Preston motioned to allow non-public schools in the Ag District under a special use permit with a minimum lot size of 4 acres and 100foot setbacks from all property lines. John Shilling supported the motion. Motion carried.

9. Public Comment-none.

10. Adjournment- Glenn Preston motioned to adjourn. Support by Rick Coon. Motion carried. Next meeting date will be Monday, January 27, 2013 at the Algansee Township Hall starting at 7:00pm with a special use public hearing and then at 7:30pm for a public hearing to amend the Zoning Ordinance to allow non-public schools in the Ag District that meet the requirements. Meeting was adjourned at 9:00pm.

Glenn Preston, Secretary