

**Alganssee Township Planning Commission Minutes
January 23, 2015**

1. On Monday, January 23, 2015 at 7:30 pm Chairman Rodney Carpenter called the regular meeting of the Alganssee Township Planning Commission meeting to order at the Alganssee Township Hall, 378 South Ray-Quincy Rd., Quincy, MI. Members present: Chairman Rodney Carpenter, Vice Chairman Pricilla Dodd, member Rick Coon, Township Representative John Shilling . Absent: Glenn Preston, Secretary.

2. Minutes: Rick Coon motioned to approve minutes from the November 24, 2015 meeting with one (1) correction: Rick Coon supported the motion to table Chris Donato’s request for a Special Use Permit. Motion carried.

3. Agenda: John Shilling motioned to accept the agenda; supported by Rick Coon. Motion carried.

4. Old Business: Chris Donato called Russ Jennings to delay his request for a Special Use Permit for 250 Donnell Dr., Coldwater, MI, which was tabled on November 24, 2014 so that he could bring back additional information. Mr. Donato is undergoing surgery and wishes to delay the approval of for this permit for 3 months while he recovers. Amos Barnett will contact Mr. Donato and let him know that we need his request for a delay in writing and this needs to be received before the February 23, 2015 Planning Commission meeting. The Board agreed to table the issue until the February 23, 2015 Planning Commission meeting. Pricilla Dodd made a motion to table Mr. Donato’s Special Use request until the February 23, 2015 meeting; supported by John Shilling. Motion carried.

5. Report from Township Representative: Nothing to report.

6. Report from Zoning Administer: There was one (1) permit written for Paul Schmucker Sr., 1218 Wolf Rd.; (a) 30 x 72 barn (b) 28 x 32 barn (c) 16 x 16 addition.

Rodney Carpenter and Amos Barnett discussed Paul Schmucker property on Grove Road. Amos stated that he was out to the property and there is no construction going on at this time.

7. Report from Zoning Board of Appeals: Pricilla Dodd reported that they didn’t meet in December or January.

8. New Business:

A. Public Hearing, Special Use Request for a land split from Norma Wirtz, 1245 Grove Rd., Reading, MI; property located at 1215 Lester Rd. Reading, MI. Property Code #120-036-100-005-00.

Request is to split 3 parcels – 2.6 acres with house, 1.89 acres with house, and 10 acres with shed.

Opening Statement: “We would like to split 3 parcels to sell.”

Closing Statement: Same as opening statement.

Public Comments: Scott Everline asked if the split would cause any of the property to become Land Locked. The answer was No.

No further comments. Public Comments Closed.

Facts and Findings:

1. Minimum Lot Size: The minimum lot size for a single family dwelling shall be one (1) acre in area. **~yes for all 3 parcels~**

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 (4) additional lots with dwelling units. A 30 acre parcel would be permitted a dwelling unit and two (2) 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 quit 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. **~210 acres, date 01-26-15~**
 - 3) The number of parcels being created. **~4~**
 - 4) The number of additional parcels for dwellings that may be created under the required density formula. **~17~**
 - 5) These items must be shown on the deed submitted to the Township with the land division approval and review for compliance with requirements of this section prior to approval of the land division by Township Supervisor. **~original 210 acres with three (3) splits of 2.6 acre parcel, 1.89 acre parcel, and 10 acre parcel, leaving the parent parcel with 195.51 acres.**
- 3. Road Frontage:** Minimum of 100 feet of road frontage. **~Yes, each of the 3 parcels have 100 ft. plus of frontage (403.81', 205', 800')~**
- 4. Setbacks of existing building:** Are all setbacks met? **~Yes, all setbacks on each parcel is met.~**

Rodney explained to the Wirtz's the number of splits they have remaining on the Parent Parcel.

John Shilling motioned to approve Norma Wirtz's land split Special Use Request; supported by Pricilla Dodd. Motion carried.

9. Public Comments:

Russ Jennings spoke about the property on Donnell Dr. which has been referred to as the "Marijuana House". The Township attorney, Chuck Lillis, says that our Zoning does not prohibit this house. Mr. Lillis suggested not to do anything about the house at this time but instead wait for some larger municipalities to figure out how to handle a situation like this. At the next township meeting, Russ will recommend that the township not pursue this matter at this time. Rick Coon mentioned reading in the news about a similar situation taking place in Fenton, MI with the same recommendation from their attorney.

Rodney Carpenter spoke with Chris Korey, township planner, about the fact that there isn't anyone living in the house but operating a business out of it. Chris Korey stated that he felt since the house is in a Residential Area and a Home Occupation Permit was never applied for or given that the "Marijuana Business" could be closed because of not following the Township Ordinance. Russ stated our attorney does not agree with Chris Korey on this subject. Russ explained that it is almost impossible to get a house or building condemned.

There were no additional Public Comments.

Amos stated that there is one (1) new Special Use Permit for February and one (1) for March.

John Shilling motioned to adjourn; supported by Rick Coon. Motion carried. Next meeting date will be Monday, February 23, 2015 at the Alganssee Township Hall starting at 7:30 pm. Meeting was adjourned at 8:10 pm.

Rick Coon, Acting Secretary