

Alganssee Township Planning Commission Minutes

November 30, 2015

- 1. On Monday, November 30, 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, Michigan. All members were present: Chairman Rodney Carpenter, Vice Chairman Pricilla Dodd, member Rick Coon, Township Representative John Shilling and Secretary Glenn Preston.
- 2. Minutes-** Glenn Preston motioned to approve the minutes from the August 31, 2015 meeting presented by Pricilla Dodd. Pricilla Dodd supported the motion. Motion carried. Glenn Preston motioned to approve the September 28, 2015 minutes presented by Pricilla Dodd. John Shilling supported the motion. Motion carried. Glenn Preston motioned to accept the October 26, 2015 minutes with the correction of the address under paragraph #6 Larry Parks' property is 556 South Ray Quincy Road. John Shilling supported the motion. Motion carried.
- 3. Agenda-** Rick Coon motioned to accept the November 30, 2015 agenda. Motion was supported by John Shilling. Motion carried.
- 4. Old Business-** Chairman Rodney Carpenter reported that Larry Park's is selling his property at 556 South Ray Quincy Road on an unrecorded land contract to Sam Schwartz. It has come to the attention of the Alganssee Township Zoning Administrator that there are calves in the barn. There are not supposed to be any calves in the barn under the Alganssee Township Zoning Ordinance. Sam Schwartz says there aren't any calves in the barn and refuses to allow anyone on his property to verify that.
- 5. Report from Township Representative-** John Shilling reported there is nothing new to report.
- 6. Report from Zoning Administrator-** Amos Barnett reported that there were 7 zoning permits issued in the month of October- Robert Elder- 439 Potter Rd., Jake Schwartz- 912 Brown Rd., Rick Coon- 162 Dons Dr., Louis Graber- 1237 Lester Rd., LaVern Speith- 120 Wright Rd., Dan Wingard- 1094 Campbell Rd., Sam Eicher- 954 Lester Rd.
- 7. Report from ZBA Representative-** did not meet
- 8. New Business- Special Use Public Hearing for Charles Hoopes-** 918 Stockwell Drive, Quincy, Michigan 49082, property code # 120-009-100-005-01,
Opening statement- Charles Hoopes said he requesting to put in a shared driveway under Alganssee Township Zoning Ordinance Section 14.09 and would like to sell off farm property and retain the lake property and he asked if he could have the land splits without putting in a shared driveway. Statement of justification for requested action- lake property splits access.
Chairman Rodney Carpenter said according to the Alganssee Township Zoning Ordinance he needs to have a shared driveway put in before he would be granted any land splits.
Jim and Carol Burton- 935 Stockwell Drive asked if this would affect their property in the future. Charles Hoopes said it wouldn't affect their property.
Alganssee Planning Commission met in discussion.
Closing Statement- Charles Hoopes said he will put in a shared driveway to the satisfaction of the Quincy fire Department and the Alganssee Zoning Administrator.
Alganssee Township Planning Commission Facts and Findings under
Section 14.09 Shared Driveways Shared driveways may be constructed in the Township according to the following standards.
A. Design of Shared Driveways. A shared driveway shall be designed and constructed consistent with the standards for unpaved local roads by the Branch County Road Commission, unless otherwise modified by the standards adopted herein. When the developer of a proposed shared driveway also owns a lot with an existing driveway located on that adjacent lot, the proposed shared driveway shall incorporate the existing driveway in the plans and connect the existing driveway to the proposed shared driveway.
B. Minimum Easement Width. The minimum width of the easement for a shared driveway shall be 40 feet.
C. Minimum Finished Surface Width. The finished surface of a shared driveway shall be not less than 16 feet in width.
D. Maximum Length. Maximum length of a shared driveway shall be 1,000 feet with a maximum of four (4) lots or dwelling units served by the shared driveway.
E. Setbacks and Structures. On lots where the only means of access is a shared driveway and there is no other street frontage, the yard fronting on the shared driveway shall be considered the front yard for zoning and setback purposes. On lots where the only means of access is a shared driveway and there is frontage on a public or private street, the lot shall be treated as a corner lot for zoning and setback purposes.
F. Minimum Frontage Requirement. To eliminate the need for excess development and unnecessary costs, it is assumed that shared driveways extend across the entire width of the designated front yard for purposes of determining compliance with minimum lot frontage requirements, even though it is unlikely that the driveway will be developed to this extent particularly at the end of the drive.

G. Adjacent Properties. For shared driveways built after the effective date of this amendment and located on a property line, access to that shared driveway may be provided to the adjacent property unless such access will exceed the maximum number of lots permitted on a shared driveway.

H. Private Road Maintenance. If a shared driveway is built off of an existing private road, it is recommended that new parcels created with frontage on and access via the shared driveway be considered a part of the private road for purposes of allocating costs of road maintenance and improvements. Evidence that these lots have been formally added to the assessment district or that they will be added in the future and that the majority of the district is in agreement with the addition, shall be a consideration of approval of the shared driveway.

I. Maintenance Agreement. A proposal to create a shared driveway shall be accompanied by a draft maintenance agreement to be signed by all property owners with access to the driveway. The agreement shall provide for the on-going use and maintenance of the easement and driveway and the allocation of those costs. The Township shall not be involved in the maintenance of shared driveways.

J. Modification of These Standards. At the discretion of the Planning Commission, the standards of this article may be modified. The Planning Commission shall determine that alternative design or construction materials will provide a driveway of equal or superior quality. Further, the Planning Commission shall have the authority to modify the review requirements in order to assure that the requirements of the Township are considered in an appropriate forum and with the necessary level of professional expertise.

K. Approval. A shared driveway shall require approval of a special use permit. Plans for a shared driveway shall be prepared, stamped, and signed by a state licensed and certified engineer or land surveyor and shall document compliance with the requirements of this Ordinance and the noted requirements of the Branch County Road Commission. The lots along the driveway will likely be created through land division or site condominium. Approval for creation of such lots or units shall not be granted until approval of the special use permit for the shared driveway has been granted in accordance with the procedures in Chapter 18.

John Shilling motioned to approve the special use request with the modification of 30 feet wide easement with 16 feet hard finished surface, restrictions should be on the deed of the shared driveway pending the approval by the Quincy Fire Department and the Algansee Township Zoning Administrator, also the driveway will be put where survey showed it would be put as of the 9-11-2015 property sketch by Mostrom, P.S. Rick Coon supported the motion. Motion carried.

Special Use Public Hearing for Charles Hoopes- 918 Stockwell Drive, Quincy, Michigan 49082, property code # 120-009-100-005-01, Opening statement- Charles Hoopes said he is requesting to split house on less than 40 acres under Algansee Township Zoning Ordinance Section 4.03 L.

Algansee Planning Commission met in discussion.

Closing Statement- Charles Hoopes said he is requesting to split house on less than 40 acres under Algansee Township Zoning Ordinance Section 4.03 L.

Algansee Township Planning Commission Facts and Findings under **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*):

4.03 L. Single-family dwellings and/or non-public schools 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. The minimum lot size for non-public schools shall be four (4) acres in area. [Amended 4/7/14; Ord. #107]- *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]- *does not apply*

Chairman Rodney Carpenter said the property is 64 acres allowing 6 splits

Glenn Preston motioned to grant the special use permit for a home on less than 40 acres, subject to the property sketch 9-11-2015 and the land split approval. John Shilling supported the motion. Motion carried.

Any other new business- none

9. Public Comments- Supervisor Russ Jennings reported he is going to Lansing on Monday to discuss Amish buggies and the damage they are doing to the roads.

Next meeting will be on Monday, January 25, 2016 at the Algansee Township Hall starting at 7:30 pm. There will not be a meeting in December 2015.

Adjourn- Rick Coon made a motion to adjourn. The motion was supported by Pricilla Dodd. Motion carried. Meeting was adjourned at 9:45 pm.

Glenn Preston, Secretary