

Alganssee Township Planning Commission

January 30, 2017 Minutes

1. On Monday, January 30, 2017 at 7:30 pm Chairman Rodney Carpenter thanked everyone for coming and called the regular meeting of the Alganssee Township Planning Commission meeting to order at the Alganssee Township Hall, 378 South Ray-Quincy Road, Quincy, MI. All members were present: Chairman Rodney Carpenter, Vice Chairman Glenn Preston, member Rick Coon, Township Representative John Shilling and Secretary Pricilla Dodd. The visitors that signed in were Kim & Perry Schoneboom and Tim & Melissa Houtz.

2. Minutes- Glenn Preston motioned to approve the minutes from the November 28, 2016 Alganssee Township Planning Commission meeting. Support by Rick Coon. Motion carried.

3. Agenda- Rick Coon motioned to approve agenda by changing of #8 New Business with #4 Old Business. Support by Glenn Preston. Motion carried.

8. New Business- Perry and Kimberly Schoneboom Public Hearing Special Use Request for a Shared Driveway at 960 Wilmen Drive property code number 120-004-100-005-05.

Chairman Rodney Carpenter opened the Public Hearing for Perry and Kimberly Schoneboom Special Use Request for a shared driveway. Opening statement- Perry Schoneboom said he and his wife Kimberly bought the 10.10 acres from Dennis Papler and have lived at 960 Wilmen Drive since August 1st and would like to sell a half an acre to Tim and Melissa Houtz and that is why they are requesting a shared driveway under Alganssee Township Zoning Ordinance Section 14.09 Shared Driveways- A through K. They are in zoning district R-1 Lake Residential.

Chairman Rodney Carpenter opened the Public Hearing for any questions. Planning Commission Secretary Pricilla Dodd asked if she should step down from the public hearing because of conflict of interest because her property backs up to the Schoneboom's property. The Planning Commission didn't think Pricilla needed to step down because they didn't think there was any conflict of interest. Supervisor Russ Jennings said he met with the Quincy Fire Chief Mike Sherman who said he didn't want any sharp turns in the proposed driveway that would make it difficult for a fire truck to go down. Quincy Fire Chief Mike Sherman also said he was concerned about the sign on the bridge that said travel at own risk. He would like a certified engineer to check out the bridge to make sure it is safe for fire trucks; he doesn't want any fire trucks or fire men accidentally going in the channel. Perry Schoneboom said they will have the bridge checked. There was discussion about Wilmen Drive being a public road up to the edge of the bridge and then it is a private road from the bridge and beyond. Perry Schoneboom said they and another person are the only year round residents on the private road. Supervisor Russ Jennings explained it is the responsibility of all the property owners on the private road to maintain the bridge and road. Supervisor Russ Jennings said to call Matt Ashenfelter when the shared driveway is ready for final approval.

Closing Statement- Kimberly Schoneboom said they are requesting approval of a shared driveway so they can do a land split to sell a half an acre to Tim and Melissa Houtz.

Facts and Findings- Rick Coon read from the Alganssee Township Zoning Ordinance 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. *~Meets requirements*

C. Minimum Finished Surface Width. The finished surface of a shared driveway shall be not less than 16 feet in width. *~Meets requirements*

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. **~Meets requirements**

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. **~Not applicable**

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. **~Meets requirements**

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. **~Meets requirements**

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. **~Meets requirements**

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. **~Will meet requirements**

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. **~Not applicable**

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. **~Will Meet requirements**

Glenn Preston motioned to grant the special use request for a shared driveway contingent upon 14.09 K. to redraft the survey by certified surveyor with minimum width of 40 foot. Rick Coon supported the motion. Motion carried. Chairman Rodney Carpenter said the Zoning Administrator cannot issue permit until it is resurveyed to meet the requirements.

Jake J., John J. and Susie S. Schwartz Public Hearing for a Land Split at 878 Brown Road, property code #120-030-460-005-00

Chairman Rodney Carpenter opened the Public Hearing for Jake, John J. and Susie Schwartz Public Hearing for a Land Split at 878 Brown Road.

Open Statement John J. Schwartz said would like to split off 10 acres for their son.

Chairman Rodney Carpenter opened the Public Hearing for any questions. Chairman Rodney Carpenter asked if there were any additional building on the land designated to be split off that aren't designated on the map. They had just pulled in a small barn. Chairman Rodney Carpenter said they need to purchase a zoning permit for the small barn and to add any other buildings they wish to build within the year on to this zoning permit. The parent parcel is 76 acres. Chairman Rodney Carpenter said there might be 6 more land splits available depending on if there is enough road frontage.

Facts and Findings- Rick Coon read from the Alganssee Township Zoning Ordinance Section 4.03 L. Uses Permitted by Special Use Permit-

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] **~Meets requirements**

2. Density: **~Meets requirements**

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. **~Meets requirements**

3. a. To be clustered together, lots shall be located adjacent to one another with shared property lines. **~Not applicable**

3. 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. **~Not applicable**

3. 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. **~Not applicable**

3. d. The cluster of lots should be located along the adjacent public road. **~Not applicable**

3. 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. **~Not applicable**

3. 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. **~Not applicable**

4. In addition to the above, the following regulations shall apply to non-public schools in the Agriculture District: [Amended 4/7/14; Ord. #107]

4. a. A non-public school may be located on the same lot as agricultural uses, but not on the same lot as any other use. **~Meets requirement**

4. b. In no instance shall a non-public school and a dwelling unit share the same lot. **~Meets requirement**

4. c. Buildings associated with a non-public school shall be set back a minimum of 100 feet from all lot lines. **~Meets requirement**

4. d. Multiple school buildings may be built on a single lot. However, all buildings must be used together as one school institution. Additional buildings shall not require an additional Special Use permit, but shall require Site Plan Approval by the Planning Commission. **~ Not applicable**

4. e. The proposed development shall satisfy the standards for approval of a special land use.

4. f. Unless otherwise modified above, the dwelling(s) or non-public school and the lot(s) shall comply with the Development Standards set forth in Section 4.04. **~Meets requirement**

Glenn Preston motioned to grant the special use request for a land split of 10 acres from the 76 acre parent parcel. Rick Coon supported the motion. Motion carried.

5. Township Representative Report- John Shilling said there was nothing new.

6. Report from Zoning Administrator- Zoning Administrator Matt Ashenfelter reported he issued 4 permits for the months of December and January.

Zoning Permit #836 issued to Perry & Kimberly Schoneboom at 960 Wilmen Drive, parcel code #120-004-100-005-05, to build a 32 x 48 x 12 pole building date issued 12-9-2016.

Zoning Permit #837 issued to Matt & Kim Ashenfelter at 228 Crockett Drive, parcel code #120-W82-000-010-00 to build 3 new decks, date issued 1-3-17.

Zoning permit #838 issued to Randy & Jolayne Gundrum at 110 Crockett Drive, parcel code #120-C10-000-004-00 to build a 24 x 26 garage addition, date issued 1-4-17.

Zoning Permit #839 issued to Larry E. Long at 774 Lakeshore Point, parcel code #120-L10-000-008-00 to build a new larger deck (roadside), date issued 1-7-17.

7. Zoning Board of Appeals Report- Rick Coon reported they met on Friday, December 2nd and approved a variance request at 191 Dons Drive zoning permit #817 issued 8-25-16 to renew zoning permit #706 to Del Pay Retreat, property code #120-A11-000-010-00.

4. Old Business:

Chairman Rodney Carpenter reported he needs the lot of record lot adjustment for Robert Fenner at 596 South Fremont Road.

His original land split request was to split off 2.5 acres from the 160 acres since that approval he would to change the 2.5 acres to 3 acres and he received approval from the Alganssee Township Board to remove that change from his P.A.116. Chairman Rodney Carpenter said the Planning Commission needs to make sure their records are correct

Any other Old Business- there wasn't any.

9. Public Comment- Supervisor Russ Jennings discussed the Quincy Fire Department's adjustment of their proposed budget.

10. Adjournment- Chairman Rodney Carpenter thanked everyone for coming. The next regular meeting will be held on Monday, February 27, 2017 at the Alganssee Township Hall starting at 7:30 pm. Glenn Preston made a motion to adjourn. Motion was supported by Rick Coon. Motion carried. The meeting was adjourned at 8:55pm.

Suzanne Preston, Recording Secretary