

Planning and Zoning Commission June 1, 2004 Minutes

On **Tuesday, June 1, 2004** the **Planning and Zoning Commission** met for their regular May meeting, since the last Monday in May was a holiday they met on the following day. Chairman Dave Gilbert called the meeting to order at 8:00 pm with all members present; Chairman Dave Gilbert, Pricilla Dodd, Rodney Carpenter, Representative to the township Board Russell Strong, Secretary Glenn Preston.

Minutes- Russell Strong motioned to approve the April 26, 2004 minutes of the Planning and Zoning Commission meeting as written. Rodney Carpenter supported the motion. Motion carried.

Agenda- Rodney Carpenter motioned to approve the agenda as presented. Russell Strong supported the motion. Motion carried.

OLD BUSINESS-

Report from the Township Representative- Russell Strong didn't have anything to report.

Report from the Zoning Appeals Board- Chairman Dave Gilbert said they didn't meet this month.

Zoning Administrator's Report- Harold Farris said he would send a letter before a permit expires with an explanation of their options.

Terry Tom's Special Use Public Hearing- Rodney Carpenter stepped down from the Planning and Zoning Commission at this time and went and sat in the audience. Chairman Gilbert explained that we held a public hearing last month for Terry Tom's special use request and there appeared to be errors, so we checked with legal council and we needed to advertise this public hearing again and we did. Terry and Donna Tom of 1665 Lakeshore Drive, Coldwater, Michigan, are requesting a special use permit for their property at 141 Crockett Drive, Quincy, Michigan, property code # 120-005-300-005-13, are requesting a special use permit under Algansee Township Zoning Ordinance section 6.03- storage facilities. Intent of the special use permit is to allow the property to be used for marine storage-boats, boat trailers, boat lifts, docks, pontoons, personal watercraft, etc. Chairman Gilbert said the Algansee Township Supervisor Erica Ewers had received one letter from Steve J. Renski, a signed affidavit. Chairman Gilbert asked Terry Tom if there is any other new letters or any information that he wanted to submit at this time. Terry Tom said he didn't know anything about this meeting until yesterday. Chairman Gilbert asked the Zoning Administrator if this public hearing had been advertised. Harold Farris, the Zoning Administrator, said he had advertised this public hearing. Chairman Gilbert said he would reopen the public hearing again and allow for any additional information and comments at this time. Chairman Gilbert explained that our Zoning Administrator had sent the letters out with the township's address on the letters and since there wasn't any mailbox at the township hall, the Post Office returned the letters to the sender. Chairman Dave Gilbert asked Terry Tom if he has an opening statement to add any more information or comments that he hadn't told the board. He didn't have an opening statement, but wondered if this meeting was advertised and if letters were sent out. It was advertised twice, no letters were sent out for this public hearing. Glenn Preston motioned to reopen Terry Tom's special use request public hearing, property code # 120-005-300-005-13, 141 Crockett Drive, Quincy, Michigan, which was tabled at last month's Planning and Zoning Commission meeting. Pricilla Dodd supported the motion. Motion carried.

Facts and Findings-

1. Property is in the R-2 Zoning district.
2. Neighbors concerned about their property values if this goes through.
3. Terry Tom said 10 feet high, Rodney Carpenter said 20 feet and nothing higher.
4. Concern from neighbors about debris and litter.
5. 6-1-04 recommendation letter from township planner, McKenna Associates.

Dave Gilbert motioned to grant special use permit for marine storage with the condition as follows, excluding the security deposit;

1. **Berm Condition for screening-** the proposed marine storage area shall be screened from view from each and every adjacent lot or parcel located to the west, south and east of the subject lot or parcel. Screened from view shall mean that no portion of the storage area and no storage activities shall be visible from adjacent properties. To accomplish the required screening, the applicant shall install a berm at least eight (8) feet in height as measured from natural grade.

The berm's cross-sectional width shall be equal to its height and the side slopes shall be no less than one (1) foot in height for each three (3) feet in width. Any such berm shall be protected by grass cover, which shall be maintained to a degree and quality deemed by the Township as sufficient to protect the berm from erosion. Any erosion of the berm shall be evidence of the applicant's failure to comply with this requirement, although evidence of failure to comply need not be limited to the presence of erosion.

The required berm shall be installed, and inspected by and approved by the Township prior to this Special Use Permit taking effect. No marine storage use is permitted until and after the Township has inspected and approved the required berm.

The applicant shall install and maintain landscaping that completely screens the marine storage area and marine storage operations from view from each and every adjacent lot or parcel located to the west, south and east of the subject lot or parcel. Such landscaping shall be implemented pursuant to an approved landscaping plan in accordance with the requirements of section 17.05 of the Alganssee Township Zoning Ordinance. The Planning Commission may require security for the installation and maintenance of the required landscaping in accordance with the requirements of section 21.07 of the Alganssee Township Zoning Ordinance.

2. **Lighting-** any and all lighting of the marine storage area shall not shine on to adjacent lots or parcels. Any lighting source located on or aimed at the marine storage area or intended to illuminate the marine storage area shall not exceed six (6) feet in height and shall not be aimed higher than six (6) feet in height and shall not provide illumination at an elevation higher than six (6) feet in height from the natural grade in any location.
3. **Marine Storage Use Only-** the marine storage use area, as indicated on the proposed site plan submitted as part of the application for this Special Use Permit, shall be used for the storage of boats, trailers, pontoons, watercraft, boatlifts, and docks only, and no other use of this area shall be permitted. Neither the land owner nor the owner/lessee of any stored items shall work up, clean, maintain, repair, or undertake any other activities to, on, or with any item in the marine storage area.
4. **Hours of Operation-** No stored items shall be moved into the storage area nor removed from the storage area except during the permitted hours of operation 8:00 am to 5:00 pm Monday through Saturday and 10:00 am to 4:00pm on Sundays.
5. **Storage of Hazardous Materials-** There shall be no storage and no use of material or substances that are classified by the U.S. Environmental Protection Agency or by the Michigan Department of Environmental Quality (and successor agencies) as hazardous or toxic in the marine storage area.
6. **Prohibition of Structures-** No structure(s) and no building(s) shall be erected, constructed, altered or moved to the marine storage area.
7. **Compliance with Special Use requirements-** the owner of the subject property shall maintain the property and all permitted uses in compliance with the requirements of the Alganssee Township Zoning Ordinance and in compliance with the conditions imposed pursuant to this Special Use Permit. This Special Use Permit shall become null and void if Alganssee Township, or its designees or assignees, notifies the owner of the subject property of non-compliance or violation of any provisions of the Alganssee Township Zoning Ordinance or the conditions of this Special Use Permit three (3) or more times in any calendar year.

Glenn Preston supported the motion. Motion carried. Rodney Carpenter joins the Planning and Zoning Commission at this time.

NEW BUSINESS-

Special Use Request- Glenn Preston motioned to hold the public hearing on June 28, 2004 at 8p.m., for the special use request for Bill Avra, 1130 Fisher Road, Quincy, Michigan, and property code # 120-002-300-030-03. Rodney Carpenter supported the motion. Motion carried. After much discussion, Rodney Carpenter motioned to cancel the public hearing for June 28, 2004 meeting because the application wasn't filled out entirely. Russell Strong supported the motion. Motion carried.

Adjourn- Glenn Preston motioned to adjourn. Russell Strong supported the motion. Motion carried.
Glenn Preston, Secretary

corrected July 26, 2004 and approved with the corrections on July 26, 2004