

October 28,2002 Planning and Zoning Commission Minutes

**Monday, October 28, 2002 the regular meeting** of the Algansee Planning and Zoning Commission was called to order at 8:10 p.m. All members were present- Chairman Dave Gilbert, Pricilla Dodd, Rodney Carpenter, Representative from the Township Board Russell Strong and Secretary Glenn Preston.

**Minutes-** the Secretary read the minutes of September 30,2002 Planning and Zoning Commission meeting. Russell Strong made a motion to accept the minutes as presented. Pricilla Dodd supported the motion. Motion carried.

**Agenda-** Glenn Preston motioned to accept the agenda. Russell Strong supported the motion. Motion carried.

**Old Business-** Chairman Gilbert asked if there was any old business? No one had any.

**Report from the Township Board-** Russell Strong said he didn't have anything.

**Report from the Appeals Board-** Chairman Gilbert reported that there wasn't any hearings for the Appeals Board this month.

**New Business- Kathy Dickman Request for a Special Use Permit-** Chairman Gilbert reported the first thing on the agenda under new business is Kathy Dickman request for a public hearing for a special use. Requesting for a special use permit to expand a nonconforming structure by less than one foot, at 191 Don's Drive, Quincy, Michigan, property code #120-A11-000-011-00 and #120-A11-000-010-00.

**Kathy Dickman had several exhibits.** Exhibit #1- 6 pictures, a computer picture. Exhibit #2- a letter dated September 3<sup>rd</sup> from Thomas G. and Judith A. Overmyer. Exhibit #3- August 7<sup>th</sup> from Dave & Tammy Augfield. Exhibit #4 a letter dated September 3<sup>rd</sup> from a Steve & Judy Wolzinski. Exhibit #5- a licensed campground picture from DEQ. Exhibit #6- minutes May 25, 1993 from the Algansee Twp. Zoning Board, minutes July 27, 1993 from the Algansee Twp. Zoning Board. Kathy Dickman maintains that an enlargement by less than one foot would not extend the probable duration of a non-conforming use. Because we are grandfathered in we are allowed to maintain our structure. The four other trailers have all been improved that are on two lots. She said that in order to maintain her structure she needs to expand it by less than one foot. She said she is expanding by less than a foot of living space on each side and less than 6 inches of living space in the front and back. All 5 trailers have been there the life of the campground since 1968. They will always be there and maintain their trailers unless an act of God destroys them. She has letters of support from the partners on either side of her trailer and also letters from the 2 neighbors on the 2 sides of our lots. To answer the question about whether the expanding will interfere with the use of other properties in the surrounding neighborhood for which they have been zoned? She doesn't see how her expanding would interfere with the use of any surrounding neighbors and it wouldn't extend the substantially extend the probable duration of the nonconforming use. In closing she said by maintaining her trailer in this way it would only improve the looks of our properties and the looks of Algansee Township. Chairman Gilbert asked Kathy Dickman to prove to the board whether this will extend the use of the nonconforming use. She said they have a right to maintain their structures, by improving them

they won't prolong the probable use of the nonconforming use, those trailers will be there forever unless an act of God destroys them. She doesn't know how to prove it. She just wants it to look nice.

**Public Comment-** Chairman Gilbert asked for Public Comment. William Eversole asked for clarification and he supports the project. There were a couple other comments. Chairman Gilbert asked for any other public comments. Seeing none, closed this portion of the public hearing.

**Deliberation-** Chairman Gilbert asked the board to go into deliberation. Discussion at length by the Board members and Kathy Dickman followed. Pricilla Dodd made a motion to grant the special use permit to expand the nonconforming structure by less than 1 foot. Rodney Carpenter supported the motion. Motion carried.

**Special Use Permit request for Emanuel Schwartz-** Chairman Gilbert opened the Special Use Public Hearing for Emanuel Schwartz of 888 Warren Rd., property code # 120-021-300-015-00, who is requesting a special use permit under the Alganssee Township Zoning Ordinance 5.02-D.

**Public Comment-** Chairman Gilbert opened the Public Hearing up for Public Comment. Jacob Schwartz commented. John Watson commented.

**Deliberation-** Chairman Gilbert asked for the board to go into deliberation. After deliberation Rodney Carpenter motioned to allow Emanuel Schwartz a special use permit under the Alganssee Township Zoning Ordinance section 5.02- D. Russell Strong supported the motion. Motion carried.

**Adjourn-** Pricilla Dodd motioned to adjourn. Russell Strong supported the motion. Motion carried. Adjourned at 10:10 p.m.

Glenn Preston, Secretary

Corrected 11-25-02