

Algansee Township Planning Commission Minutes

June 24, 2019

1. On Monday, June 24, 2019 at 7:30 pm Chairman Rodney Carpenter called the regular meeting of the Algansee Township Planning Commission to order at the Algansee Township Hall, 378 South Ray-Quincy Rd., Quincy, MI. Members present: Chairman Rodney Carpenter, Vice Chairman Glenn Preston, Secretary Pricilla Dodd, Rick Coon, and Township Representative John Shilling.

Attendees: See page 4, sign-in sheet.

2. Minutes:

Glenn Preston moved to accept the May 28, 2019 minutes; supported by Rick Coon. Motion carried.

3. Agenda:

Glenn Preston moved to accept the agenda as written; supported by John Shilling. Motion carried.

4. Old Business:

None

5. Report from Township Representative, John Shilling:

John Shilling reported that there wasn't anything to report.

6. Report from Zoning Administrator, Matt Ashenfelter:

Zoning Administrator, Matt Ashenfelter, reported for June, 2019.

See attached report, page 5: Zoning Permits Issued June, 2019

Algansee Township Zoning Permits submitted to the Branch County Building Dept. once a month.

7. Report from Zoning Board of Appeals, Rick Coon:

Rick Coon reported that they met on June 14, 2019 at 6:30 pm. The meeting was requested for Mr. & Mrs. Pellegrini. Their request was denied by a 3 to 2 vote. **ZBA minutes attached pages 6 & 7.**

8. New Business:

A. Special Use Hearing for:

Property Owner: Graber, Louis Jr. & Emma

Applicant: Same

Applicant Address: 685 Hamman Rd., Reading, MI 49274

Property Address: Intersection of Burlew and Kelly Rds., Reading MI 49274

Property Code: 120-024-400-015-00

Requesting: A land split of less than 40 acres. Split 11.75 acres from a 23.5 acres parent parcel for 2 future homestead sites.

**At the May 28, 2019 meeting, the Planning Commission had requested that Graber's contact DEQ and Farm Service and to find out if the property is buildable. The reply from both agencies*

must be in writing for the hearing to continue. At that time their hearing was tabled until the June 24, 2019 meeting.

Since the Graber's didn't attend or contact the Planning Commission or the Zoning Administrator, Rick Coon moved to table Louis & Emma Graber's Special Use application until the July 28, 2019 meeting. Matt Ashenfelter will contact the Graber's to find out if they plan on continuing with their Special Use request; supported by John Shilling. Motion carried.

B. Special Use Hearing for:

Property Owner: Girod, Jake & Salome

Applicant: Same

Property Address: 554 Colvin Rd., Quincy, MI 49082

Property Code: 120-029-400-005-05

Requesting: Requesting a land split of less than 40 acres to allow our daughter and son-in-law to build a new dwelling.

Rick Coon moved to remove Jake and Salome Girod's Special Use request from the table; supported by John Shilling. Motion carried.

Opening Statement: Would like to split 6.736 acres for my daughter and son-in-law.

Discussion: The Parent Parcel is 19.995 acres per the Owner and Taxpayer Information form. It was discussed whether or not to vary from the 20 acres that is required in the Zoning Ordinance.

Rodney Carpenter, Chairman, stated that he had asked the Township Board for permission to call Chris Khorey of McKenna to discuss the Graber's request to split 19.995 acres, when our ordinance states a minimum of 20 acres is needed for a split. The Township Board denied the request.

In the discussion there was concern about the number of splits that the parent parcel has had. Matt Ashenfelter and Erica Ewers, Tax Assessor, determined that not all of the eligible splits on the parent parcel have been used.

Facts and Findings:

"From Alganssee Township Zoning Ordinance, Effective: April 29, 2014"

Chapter 4 Section 4.01, 4.02, and 4.04 Agriculture Zoning District Regulations.

Property meets all zoning requirements.

Closing Statement: Same as Opening Statement.

John Shilling moved to approve Jake and Salome Girod's Special Use request; supported by Rick Coon. Roll call vote: John Shilling, yes; Pricilla Dodd, yes; Rick Coon, yes; Glenn Preston, yes; Rodney Carpenter, no. Four (4) yes – one (1) no. Motion passes.

9. Public Comments:

None

John Shilling, Township Representative, was asked to discuss with the Township Board whether or not the Planning Commission should, at this time, continue with creating wording for the Zoning Ordinance regarding Wind and/or Solar Energy.

Rick Coon moved to adjourn; supported by Glenn Preston. Motion carried. Meeting was adjourned at 8:55 pm.

The next regular meeting will be Monday, July 29, 2019, at the Alganssee Township Hall starting at 7:30 pm.

Pricilla Dodd
Secretary

Attached:

- 1. Sign-in sheet. (1 page)*
- 2. Zoning Permits etc. Report, June, 2019, Matt Ashenfelter, Zoning Administrator . (1 page)*
- 3. ZBA June 14, 2019 Minutes (2 pages)*

Sign in Sheet 6.24.19

Greg Archer
Jake K. Girard
Merry & Adelle Schwartz
Samuel H. Schwartz
Jake Schwartz
Carl Hill
John A. Girard
Maggie E. Girard
Salome E. Girard
Austin Caputo

Zoning Permits Issued June 2019				Matt Ashenfelter - Algonsee Township Zoning Administrator			
Permit #	Property Owner	Address	Parcel Code #	Type	Structure	Date	Fees Paid
1008	Ailey Welter	226 Bickford	120-810-000-013-99	R1	12 x 22 roof over existing deck	6/3/2019	\$40.00
1009	Paxton James	373 Brocklebank	120-017-400-015-02	Ag	24' dia above ground pool	6/4/2019	\$40.00
1010	Eicher Reuben	821 Lester	120-032-100-015-01	Ag	14 x 24 single story addition to existing dwelling	6/5/2019	\$40.00
1011	Leshk Dawn	120 Crockett Dr	120-005-100-015-00	R1	12 x 42 elevated deck with roof on lakfront	6/6/2019	\$40.00
1012	Miller Kristy	230 Bickford	120-810-000-011-00	R1	Demo all existing structures and install 27 x 48 manufactured home w/basement	6/7/2019	\$40.00
1013	Ash Art	572 S Ray Quinley	120-027-300-075-00	R2	10 x 24 addition to existing accessory building (penalty applied for building without a permit)	6/7/2019	\$160.00
1014	Hopkins June	837 Riley Dr	120-510-000-004-01	R1	Remove existing deck, install wrap-around open deck, 12x20, 8x32, & 12x8	6/7/2019	\$40.00
1015	Hague Mike	124 Wright Rd	120-550-000-017-00	R1	12 x 20 pre-built shed	6/8/2019	\$40.00
1016	Cytlak Dana	248 Dennell Dr	120-H10-000-016-00	R1	12 x 16 shed (replace existing shed)	6/10/2019	\$40.00
1017	Mescher Michael	809 E Central	120-017-100-015-04	Ag	14 x 50 stick built accessory building, remove existing 14 x 70 mobile home	6/10/2019	\$40.00
1018	Tuberger Jacquelyn	728 E Channel Dr	120-150-000-012-00	R1	14 x 14 addition to existing open deck	6/11/2019	\$40.00
Total							\$560.00
Special Use Hearings							
Land Splits							
6/25/2019	Kristen Crandal	Crockett Dr	120-008-100-030-01	R1	Crockett Dr lot splits - approved April 2019	Scheduled 6/25	
Total							
Zoning Violations Issued							
4/30/2019	Sandra Ely, Dan Davis	725 Flz Lane	120-007-300-095-00	R2	Excessive RVs, trailers, junk vehicles. Clean-up started 90 days ago, final notice sent 4/30/19 No progress as of 6/24/19		
Total							

* Zoning Permits are Submitted to the Branch County Building Dept. Once a Month.

**Zoning Board of Appeals
Meeting Minutes
(Pellegrini/Crandall – 234/238 Crockett Dr.)
Friday June 14, 2018 6:30 PM**

1. **Call to Order:** Chairman Jamie Wieteki called the meeting of the Algansee Township Zoning Board of Appeals to order (6:30 PM) at the Algansee Township Hall, 378 S. Ray-Quincy Rd., Quincy Mi.
2. **Attendees:** All five active members were present including; Jamie Wieteki (Chairman), Rod Bassage (Vice Chairman), Bob Migrin (Secretary), Harold Sneath, and Rick Coon (Planning Commission representative). Other township officials present in the audience were: Matt Ashenfelter (Zoning Administrator), Rodney Carpenter (Chairman-Planning Commission), and Pracilla Dodd (Secretary-Planning Commission). Also in attendance was the applicant for the variance, Dan Pellegrini who was also serving as the legal representative for the owner, Kristen Crandall. Additional non-listed local residents (approximately 5 were present).
3. **Old Business:** Jamie Wieteki made a motion, seconded by Rod Bassage to accept the minutes from the last ZBA meeting held on July 17, 2018. Motion passed unanimously with one spelling error to be corrected.
4. **New Business:** Dan Pellegrino requested changes to a recently created R1 lot (considered lot #3 by the planning commission) across Crockett Dr. from his current property at 238 Crockett Dr. The request would reduce the lot size from the zoning specified minimum size of ½ Acre to a resulting size of approximately ¼ acre. As a result of this action, lot #3 would become a “non-conforming” R1 lot due to its small size. The attached documents created by Matt Ashenfelter offer a very good description of the request. The request is being made to allow for a more direct access to a planned storage building to be built on lot #2 which as a result of this change would become approximately 1 acre in size.
5. **ZBA and Applicant Group Discussion:** Several items of concerned were discussed.
 - a. Dan Pellegrini discussed his written response to the “Standards for Granting a Variance”. His positions were generally understood by the ZBA as written. The applicant also presented a list of approval signatures from the majority of the residents located on Crockett Dr. Mr. Pellegrini indicated that everyone approved, however, approximately 10 of the neighbors were not available to sign his “note of approval”. The applicant also indicated that his proposed storage building would not be used as a residence; however he will be installing a septic tank and field to drain his RV tanks before storing his Recreational Vehicle in the new storage building. As lot #2 is an R1 lot, this would not present an issue even if he chose to make the dwelling into a residence at some point in the future. He also offered to create and file a deed restriction on the reduced sized lot #3 to designate it as a non-residential property

- b. The question was raised by the ZBA as to why the applicant could not build his storage building onto lot#2 which is approximately ¼ acres in size, and position it such that he would have ample room for vehicle storage without affecting the current size of lot #3. Mr. Pellegrini's response was his desire to preserve the trees present on the lot and to make it as convenient as possible to enter the building from his existing property located at 234 Crockett Dr. Mrs. Pellegrini also indicated that there were neglected and dilapidated properties (on the lakeside of Crockett Dr.) that present an "eyesore" at the southern end of lot #2 which she would like to avoid viewing from the new building if possible.
- c. There was some discussion about the potential for additional lot size reduction requests to accommodate smaller storage buildings at other similar off-lakefront locations. It was agreed by the ZBA that any such requests would be handled at a later date (based on their own merit) if they should arise. Also it was agreed that future potential requests should not be considered as a reason for approving and/or denying Mr. Pellegrini's request.

6. Motion to approve request: A lengthy discussion ensued between the ZBA members relative to the "practical difficulty" presented by Mr. Pellegrini. The discussion focused on the applicants desires and wants as opposed to practical difficulty created by the current zoning requirements established by the planning commission. A motion to approve the request as written was made by Jamie Wieteki and seconded by Rod Bassage. A quasi roll call vote was conducted and the request for zoning variance was denied by a 3 to 2 margin of ZBA members. Voting in favor of passage were Jamie Wieteki and Harold Sneath, and voting opposed were Rick Coon, Rod Bassage, and Bob Migrin.

7. Motion to Adjourn: Rick Coon made a motion to adjourn, seconded by Jamie Wieteki. Motion passed and the meeting was adjourned at 8:10 PM.