

# Algansee Township Planning Commission Minutes

November 25, 2019

**1. On Monday, November 25, 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: Greg Parker and Austin Carpenter

**2. Minutes:**

Glenn Preston moved to accept the October 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:**

Matt Ashenfelter reported that he was taking the Proposed Checklist for Ag Land Splits of less than 40 acres to Qualify for a "Use by Right" Ag Land Splits to the Township Board to have the Planner, of McKenna, give their input.

**See attached copy pages 3 & 4.**

**5. Report from Township Representative, John Shilling:**

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

**6. Report from Zoning Board of Appeals Representative, Rick Coon:**

Rick Coon reported that the ZBA met on November 8, 2019 and passed the appeal that was in front of them.

**See attached ZBA minutes, page 5.**

**7. New Business:**

The Wind Turbine Ordinance will be discussed at the January 27, 2020 meeting.

**8. Report from Zoning Administrator, Matt Ashenfelter:**

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

**See attached report, page 3: Zoning Permits Issued November, 2019**  
Algansee Township Zoning Permits submitted to the Branch County Building Dept. once a month.

**9. Public Comments:**

None

Rick Coon moved to adjourn; supported by Glenn Preston. Motion carried. Meeting was adjourned at 8:00 pm.

The next regular meeting will be Monday, January 27, 2020, at the Alganssee Township Hall starting at 7:30 pm.

Pricilla Dodd  
Secretary

***Attached:***

- 1. Ag. Land Splits of less than 40 acres and check list (2 pages)*
- 2. ZBA minutes from November 8, 2018. (1 page)*
- 3. Zoning Permits etc., Report, November, 2019, Matt Ashenfelter, Zoning Administrator. (1 page)*

Proposal to move the language listed below for Ag land splits of less than 40 acres from “Special Use” to “Uses by Right”, not requiring a Special Use Hearing:

**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]
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]

**A non-public school may be built on a lot in lieu of a dwelling unit. A school and a dwelling unit may not be located on the same lot. An applicant wishing to build a school must split a minimum of 4 acres into a new lot in order to build the school. All minimum lot size, setback, and other dimensional requirements must be met for both the school lot and the parent lot. [Amended 4/7/14; Ord. #107]**

- a. A 50 acre parcel would be permitted a dwelling unit and four additional lots with dwelling units. A 30 acre parcel would be permitted a dwelling unit and two additional lots with dwelling units.
- b. If a non-public school is built, the number of permitted dwelling units shall be reduced by one. For instance, a 50 acre parcel would be permitted one school and four dwelling units. A 30 acre parcel would be permitted one school and two dwelling units. A 10 acre parcel (or less) would be permitted one dwelling unit or one non-public school, but not both. [Amended 4/7/14; Ord. #107]

**3. When new lots are created 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.**

- a. To be clustered together, lots shall be located adjacent to one another with shared property lines.
- 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.
- 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.
- d. The cluster of lots should be located along the adjacent public road
- 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.

**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]**

- 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.
- b. In no instance shall a non-public school and a dwelling unit share the same lot.
- c. Buildings associated with a non-public school shall be set back a minimum of 100 feet from all lot lines.
- d. Multiple school buildings may be built on a single lot. However, all buildings must be used together as one school institution.

Matt Ashenfelter  
Alganssee Twp. Zoning

**Proposed Checklist for Ag Land Splits of Less Than 40 Acres  
To Qualify for a "Use by Right" Ag Land Split**

L. Single-family dwellings and/or non-public schools on less than forty (40) acres provided the following conditions are all satisfied:

**Must Answer Yes To All The Following Statements Or A Special Use Hearing Is Required**

1. The applicant has submitted a Deed or current tax bill to verify the property owner of record
2. The applicant has submitted the correct parcel ID # and the current property owner's mailing address
3. The applicant's parcel has the required amount of splits available to process the request
4. The applicant has provided the County Treasurer's certification form verifying "taxes paid" for the last 5 years
5. The applicant has verified the parcel is not enrolled in PA 116
6. The applicant has provided a sketch or survey of the existing property showing all property lines, existing buildings and setbacks, established roads, directional arrows and clearly marked dimensions
7. The applicant has provided a sketch or survey of the area to be split off showing all property lines, existing buildings and setbacks (if applicable), established roads, directional arrows and clearly marked dimensions.
8. The applicant has submitted an acceptable legal description of the parent parcel
9. The applicant has submitted an acceptable legal description of the proposed split and remaining parent parcel
10. Is split request for no less than one (1) acre, if for a non-public school, is split request for no less than 4 acres
11. Does split request satisfies density requirement of one (1) dwelling for each whole 10 acres. (Sites less than 10 acres in size shall be permitted one (1) dwelling unit.) [Amended 8/3/09; Ord. #105]
12. If Applicable: Are lots located adjacent to one another with shared property lines.
13. If Applicable: Where there is an existing dwelling on the property, are the new lots located adjacent to the existing dwelling to include it in the cluster. Where there is not an existing dwelling, are the new lots located adjacent to the side property line, particularly one where dwellings may already exist.
14. If Applicable: Are the cluster of lots located along the adjacent public road (if no see #15)
15. If Applicable: Are the new dwellings created as a result of this process accessible to the adjacent public road by a shared driveway or common access point.

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

- a. The non-public school may be located on the same lot as agricultural uses, but is not on the same lot as any other use.
- b. The non-public school and a dwelling unit do not share the same lot.
- c. Buildings associated with a non-public school shall be set back a minimum of 100 feet from all lot lines.
- d. Multiple school buildings may be built on a single lot. However, all buildings will be used together as one school institution.
- e. 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.

Matt Ashenfelter  
Alganssee Twp Zoning

**Zoning Board of Appeals  
Meeting Minutes  
(Samuel Schwartz - 556 S. Ray Quincy Rd)  
Friday November 8, 2019**

- 1. Call to Order:** Chairman Jamie Wietecki called the meeting of the Alganssee Township Zoning Board of Appeals to order (6:30 PM) at the Alganssee Township Hall, 378 S. Ray-Quincy Rd, Quincy Mi.
  
- 2. Attendees:** Four of the five active members were present including; Jamie Wietecki (Chairman), Rod Bassage (Vice Chairman), Bob Migrin (Secretary), and Harold Sneath. Other township officials present in the audience were: Matt Ashenfelter (Zoning Administrator), John Shilling (Alganssee Township Trustee) and Rodney Carpenter (Chairman-Planning Commission). Also in attendance was the applicant for the variance, Sam Schwartz. Additional non-listed local residents (approximately 4 were present).
  
- 3. Old Business:** Rod Bassage made a motion, seconded by Bob Migrin to accept the minutes from the last ZBA meeting held on June 14, 2019. Motion passed unanimously.
  
- 4. New Business:** ZBA and Applicant Group Discussion:
  - a.** Several items of concerned were discussed.
    - This ZBA request is being made after the fact as all of the proposed construction had already been completed prior to this request. The Zoning Administrator, Matt Ashenfelter, issued an improper zoning permit based on a judgment call and he inadvertently neglected the requirement for a ZBA hearing on this issue. This meeting is being held to correct the issue for a required ZBA meeting. Without this correction, future similar (non-ZBA approved) actions could be proposed to the Zoning Administrator by Township residents.
    - The request is for a 5 ft. porch expansion on a non-conforming structure. The expansion will allow for more convenient access and seating to the house and porch. The expansion will be in a direction that will not extend any closer to the road centerline as it will maintain the set-back (40 ft to centerline) as originally provided by the existing porch. Neither resident safety nor road side green space will be adversely affected by this expansion.
    - This action, if approved, would be similar to the ZBA action approved for Samuel Girod located at 671 South Ray Quincy Rd on July 27, 2018.
  
- 5. Motion to Approve Request:** After a brief discussion and several comments made by residents in attendance, a motion to approve the request as written was made by Bob Migrin and seconded by Harold Sneath. A roll call vote was conducted and the request for zoning variance was unanimously approved by the 4 ZBA members present.
  
- 6. Post Approval Questions and Discussion:** Sam Schwartz had two additional questions about future expansion on his property:
  - **He questioned if he could now enclose the expanded porch, and Matt Ashenfelter unequivocally stated that he could not without future ZBA approval.**
  - **He also questioned how he could provide for additional living room space in his home. Sam Schwartz was advised that he would need to follow the standard process of requesting a zoning permit from Matt Ashenfelter for any addition, and if the proposed addition was closer than 83 ft. from the road centerline he would need to request ZBA approval.**
  
- **7. Motion to Adjourn:** Rod Bassage made a motion to adjourn, seconded by Bob Migrin. The motion

| Zoning Permits Issued Nov 2019 |                     |                   |                    | Alganssee Township Zoning Administrator - Matt Ashenfelter |  |           |           |         |
|--------------------------------|---------------------|-------------------|--------------------|--|--|-----------|-----------|---------|
| Permit #                       | Property Owner      | Address           | Parcel Code #      | Type   | Structure  | Date      | Fees Paid |         |
| 1047                           | Kriser Brad         | 418 S. Ray Quincy | 120-021-200-015-01 | Ag   | 8 x 30 Addition to existing Ag barn  | 11/4/2019 | \$40.00   |         |
|                                |                     |                   |                    |  |  |           | Total     | \$40.00 |
| Special Use Hearings           |                     |                   |                    |  |  |           |           |         |
| None Scheduled                 |                     |                   |                    |  |  |           |           |         |
| Land Splits                    |                     |                   |                    |  |  |           |           |         |
|                                | Wayne Collins Trust | 622 Kelly Rd      | 120-036-200-005-00 | Ag   | Land Split of 2.296 acres from a 50 acre parent parcel. Planning Commission approved Sept 30, 2019 |           | \$25.00   |         |
|                                |                     |                   |                    |  |  |           | Total     | \$25.00 |
| ZBA Hearings                   | Sam Schwartz        | 556 S. Ray Quincy | 120-027-100-010-00 | R-2  | ZBA approved variance for roadside setback on front porch rebuild (SIT extension into side yard)   | 11/8/2019 | N/A       |         |
|                                |                     |                   |                    |  |  |           | Total     | \$0.00  |
| Zoning Violations Issued       |                     |                   |                    |  |  |           |           |         |
| None Issued                    |                     |                   |                    |  |  |           |           |         |

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

passed and the meeting was adjourned at 6:55 PM