

Alganssee Township Planning Commission Minutes

May 25, 2021

1. On Tuesday, May 25, 2021 at 7:00 pm Vice Chairman Glenn Preston called the regular meeting of the Alganssee Township Planning Commission to order at the Alganssee Township Hall, 378 South Ray-Quincy Rd., Quincy, MI. Members present: Vice Chairman Glenn Preston, Craig Fichtelberg, and Township Representative Jason Shilling, Alternates Billie Avra and John Watson. Alternate John Shilling took a seat for the Terry Tom/Brock Badders Hearing and remainder of the meeting.

***Chairman Rodney Carpenter and Secretary Sharon Atkinson abstained from the Planning Commission meeting this evening and sat in the audience.**

Attendees:

Mark Downer, Terry Tom, Steve Wells, Brock Badders, Danielle Badders

See attached sign-in sheet for those wanting to speak on Downer or Badders Hearing, page 4.

2. Minutes:

Billie Avra moved to accept the April 27, 2021 minutes; supported by Craig Fichtelberg. Motion carried.

3. Agenda:

Billie Avra moved to accept the Agenda as written; supported by Jason Shilling. Motion carried.

4. New Business:

A. Special Use Hearing for:

Property Owner: Jennie Downer Trust

Applicant: Maria Downer

Applicant Address: 130 Kelly Cove Ct., Mooresville, NC 28117

Property Address: 1281 Fisher Rd., Quincy, MI 49082

Property Code: 120-012-200-020-98

Requesting: To split .89 acre split including an existing dwelling and garage from a 42 acre parent parcel. Parcel size of the split request is 136' wide x 285' deep (.89acre)

Opening Statement: Mark Downer said that the Jennie Downer Trust wanted the split so that the house could be sold.

Facts and Findings:

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

Chapter 4 Sections 4.01, 4.02, 4.03, and 4.04 Agriculture Zoning District Regulations

The request does not meet the one (1) acre requirement for a new parcel, per

Chapter 4, Section 4.03, L-1, page 4-3.

Minimum Lot Size: The minimum lot size for a single-family dwelling shall be on (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)

Property meets all other zoning requirements.

It was explained to Mr. Downer that if they wanted to split less than one (1) acre then they would have to apply to the Zoning Board of Appeals (ZBA) for a variance.

Closing Statement: They are asking for the .89 acre split to be able to sell the house. They do not want to take anymore property from the farm land than necessary.

Craig Fichtelberg moved to approve the split with the condition that the request is increased to one (1) acre from the .89 acres. If this increase is not done then this Special Use Request will be voided; supported by Jason Shilling. Motion carried.

****Due to a conflict of interest with the Badders' Hearing, Jason Shilling excused himself from the Board for the remainder of the meeting. He was replaced by alternate John Shilling.***

B. Conditional Rezoning Hearing for:

Property Owner: Terry Tom

Applicant: Brock Badders

Applicant Address: 133 W. Chicago, Quincy, MI 49082

Property Address: 141 Crockett Drive, Quincy, MI 49082

Property Code: 120-005-300-005-13

Requesting: A Conditional Rezoning of the 7.7 acre R-2 parcel located on the east side of Crockett Dr. next to Woodlands #2 Subdivision and behind Georganne Meadows Subdivision.

Opening Statement: Brock Badders stated that they would like the property conditionally rezoned to C-1 from R-2 so that they could have a sales/show room for boats. This would keep all of their marina business at one address. They do not intend to put any other type of business on this property.

Public Comments: There was discussion regarding the positive and negative benefits this change could/would have on the Crockett Dr. neighborhood.

A letter from Stephen J. Remski opposing the change was read by Craig Fichtelberg. (Attached to application)

Chris Khorey of McKenna submitted and discussed a Conditional Rezoning Summary. He also had a DRAFT of Conditional Rezoning Agreement for Badders. (Attached to application)

If the request is approved, the property will stay C-1 only as long as it is a marina. It will revert back to R-2 if the use changes to anything other than a marina.

Closing Statement: Same as the opening statement.

Craig Fichtelberg moved to approve the Conditional Rezoning from R-2 Urban Residential to C-1 Commercial; supported by John Watson. Motion carried.

****All rezoning proposals must also gain approval from the Algansee Township Board and the Branch County Planning Board before final approval can be granted.***

5. Report from Township Representative, Jason Shilling:

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

6. Report from Zoning Board of Appeals Representative:

Glenn Preston reported that the ZBA met on May 21, 2021. Minutes attached pages 5 & 6.

7. Report from Zoning Administrator, Matt Ashenfelter:

Zoning Administrator, Matt Ashenfelter, reported for May 2021.

See attached report, pages 7: Zoning Permits Issued May 2021.

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

8. Old Business:

May 4, 2021 Zoning Ordinance workshop update. The Planning Commission members are working with Chris Khorey to add or change ordinances for Wind Energy, Solar Energy, and Wording for Land Splits of Less than 40 acres to the Zoning Ordinance. There was much discussion with the Commission and Audience. Mr. Khorey will come back to the next workshop with recommendations on the wording for each item.

9. Public Comments:

None

Billie Avra moved to adjourn; supported by Craig Fichtelberg. Motion carried. Meeting was adjourned at 9:05 pm.

Pricilla Dodd

Recording Secretary

Attached:

- 1. Sign-in sheet for those wanting to speak at the Hearings (1 page)*
- 2. May 21, 2021 Zoning Board of Appeals Minutes. (2 pages)*
- 3. Zoning Permits etc., Report, May 2021, Matt Ashenfelter, Zoning Administrator. (1 page)*

**Zoning Board of Appeals
Meeting Minutes
(Preston/N.G. Michael Construction – 1059 E. Central Rd.)
Friday May 21, 2021 7:00 PM**

1. **Call to Order:** Vice Chairman Rod Bassage called the meeting of the Algansee Township Zoning Board of Appeals to order (6:58 PM) at the Algansee Township Hall, 378 S. Ray-Quincy Rd., Quincy Mi.
2. **Attendees:** All five active members and one alternate member were present including; Rod Bassage (Vice Chairman), Bob Migrin (Secretary), John Shilling, Glen Preston, Shane Metzger and Rick Coon (Alternate for Glen Preston). Other township officials present were: Matt Ashenfelter (Zoning Administrator) and Russ Jennings (Township Supervisor). Also in attendance was the applicant for the variance, Builder Nate Michael and homeowners Adam and Crystal Preston
3. **Old Business:** The previous meeting minutes from our last meeting on 11/8/2019 were approved via e-mail shortly after that meeting and are on-file at the Township Hall.
4. **New Business:**
 - a. The newest member, Shane Metzger was officially sworn into office by Algansee Township Supervisor Russ Jennings.
 - b. The following members were selected by unanimous vote for an indefinite term of office:
 - i. John Shilling was elected as Chairman
 - ii. Glen Preston was elected as Vice Chairman
 - iii. Bob Migrin was elected as Secretary
 - c. **Request for variance** to build an extension onto an existing structure that is located with a less than mandated road setback. The Home is owned by Adam and Crystal Preston at 1059 E. Central Road. The addition is proposed to be built onto an existing non-conforming home that is located 63' from the center of East Cental Rd. (The zoning ordinance dictates a minimum set-back of 83' from the centerline, or 50' from the property line.)
 - d. **Existing Property** – The existing non-conforming single family residence is situated 63' from the road centerline. The parcel number is 120-120-015-200-015-01
 - e. **Proposed Addition** – The proposed addition will consist of a 16" x 40' lower level with a 16' x 16' upper level located west of the existing structure. The addition will be located with the same road setback as the existing structure. The distance from the front of the addition will be 63' from the road centerline.

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- f. **Additional Facts and Findings** – This type of non-conforming addition request has been considered and approved for three of the last four ZBA requests. The ZBA agreed as a group that the approval for this type of non-conforming request should be added to the Zoning Ordinance or be left to the discretion of the Zoning Administrator. The change would entail allowance for additions on non-conforming structures if the existing road set-back is maintained and not reduced from the existing conditions. Rod Bassage agreed to bring this issue to the attention of the Township Officials at the next Township meeting for consideration in the next addition/change to the Alganssee Township Zoning Ordinance.
- g. **Approval of Request:** Bob Migrin made a motion to approve the variance request as written by Nate Michael (without exceptions). The motioned was seconded by Rod Bassage. **The motioned passed and the variance was approved as requested by 5 in favor, 0 opposed.**

5. **Next Meeting:** No specific time was set for the next ZBA meeting

6. **Approval of meeting minutes:** It was agreed that the minutes of this meeting will be informally reviewed, amended as required, and agreed to via. E-mail. Matt Ashenfelter issued the Zoning permit to Nate Michael at the conclusion of this meeting. The minutes will be formally approved and placed on file at the start of the next board meeting (date TBD).

7. **Motion to Adjourn:** Bob Migrin made a motion to adjourn, seconded by Rod Bassage. Motion passed and the meeting was adjourned at 7:15 PM.

Zoning Permits Issued May 2021 Algensee Township Zoning Administrator - Matt Ashenfelter

Permit #	Property Owner	Address	Parcel Code #	Type	Structure	Date	Fees Paid
1113	Moses Elmer	254 Donnell Dr	120-H20-000-019-99	R-1	10 x 16 pre-built shed (revised permit #1092)	5/12/2021	fee paid
1114	Webb David & Amanda	138 Dons Dr	120-005-100-060-06	R-2	1928 sq ft new dwelling on crawl w/20 x 30 attached garage & 6 x 10 covered front porch	5/14/2021	\$40.00
1115	Webb David & Amanda	138 Dons Dr	120-005-100-060-06	R-2	30 x 40 pole barn	5/14/2021	\$40.00
1116	Schnucker Martin	438 Potter Rd	120-023-200-015-01	Ag	8 x 24 x 8 x 24 wrap-around front porch	5/17/2021	\$40.00
1117	Preston Adam & Crystal	1059 Central Rd	120-015-200-015-01	Ag	16 x 40 1st floor addition & 16 x 16 2nd floor addition (ZBA approved 63 ft roadfront setback)	5/21/2021	\$40.00
1118	George David & Stephanie	135 Dons Dr	120-005-100-090-00	R-1	36 roof mounted solar panels (Contractor - Michigan Solar Solutions)	5/23/2021	\$40.00
1119	Potter Cheryl	202 Dons Dr	120-006-400-045-01	R-1	10 x 20 pre-built shed	5/24/2021	\$40.00
1120	Peters James	210 Crockett Dr	120-W82-000-017-00	R-1	Expand existing 10 x 18 deck to 14 x 20	5/25/2021	\$40.00
Total							\$280.00

Planning Commission Hearings

MAY 25th	Brock Badders / Terry Tom DBA - Archer Lake Watersports	Crockett Dr	120-005-300-005-13	R-2	Conditional rezoning hearing - Proposal to rezone the current R-2 parcel currently limited to boat storage only to Conditional C-1. Proposal includes adding a new showroom/retail sales, sales staff, and marine repair.		\$500.00
May 25th	Jennie & Mark Downer	1281 Fisher Rd	120-012-200-020-98	Ag	Requesting a split with existing house and garage from a 42 acre parent parcel		Fees pd
Total							\$500.00

Land Splits Processed

None							
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ZBA Hearings

None Scheduled							
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Zoning Complaints

None Reported							
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Zoning Violations Issued

April 30th	Claude Peavey	104 S. Fremont Rd	120-006-100-005-99	Ag	Non-operational motor vehicles and junk accumulation - Property owner responded to violation letter, was granted 30 days to comply		
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* Zoning Permits are Submitted to the Branch County Building Dept. Once a Month.