

Algansee Township Planning Commission Minutes

April 27, 2021

1. On Tuesday, April 27, 2021 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 Sharon Atkinson, Craig Fichtelberg, and Township Representative Jason Shilling.

Attendees: See attached sign-in sheet, page 4.

2. Minutes:

Sharon Atkinson moved to accept the April 26, 2021 minutes; supported by Craig Fichtelberg. Motion carried.

3. Agenda:

Glenn Preston moved to move Billie Avra's hearing first on the agenda; supported by Sharon Atkinson. Motion carried.

Glenn Preston moved to accept the agenda with change; supported by Sharon Atkinson. Motion carried.

4. Old Business:

None

5. Report from Township Representative, Jason Shilling:

The Township Representative report was given on Monday, April 26, 2021.

6. Report from Zoning Board of Appeals Representative:

The ZBA report was given Monday, April 26, 2021.

7. Report from Zoning Administrator, Matt Ashenfelter:

The Zoning Administrator's report was given Monday, April 26, 2021.

A. Special Use Hearing for:

Property Owner: Billie Avra

Applicant: Same

Applicant Address: 1130 Fisher Rd., Quincy, MI 49082

Property Address: 272 S. Briggs Rd., Quincy, MI 49082

Property Code: 120-011-300-010-00

Requesting: To split 2 acres with house and garage from a 90 acre parent parcel.

Opening Statement: Want to split two (2) acres with house and garage from a 90 acre parcel. The paperwork to remove from PA16 has been filed.

Public Comment: None

Closing Statement: Same as Opening Statement.

Facts and Findings:

"From Algansee 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.

Glenn Preston moved to approve the Special Use Permit as submitted; supported by Sharon Atkinson. Motion carried.

****Due to a conflict of interest, Rodney Carpenter, Sharon Atkinson, and Jason Shilling excused themselves from the Board for the remainder of the meeting. They were replaced by alternates Billie Avra, Rick Coon, Ann Strong, John Watson, and Jim Bowers.***

B. Rezoning Hearing for:

Property Owner: Dale & Kim Waligora

Applicant: Same

Applicant Address: ~~203~~ Crockett Dr., Quincy, MI 49082

Property Address: 203 Crockett Dr., Quincy, MI 49082

Property Code: 120-005-300-005-09

Requesting: To rezone property from R-2 to R-1

Opening Statement: By rezoning to R-1 I would then be able to have more space on my property in front of this parcel to build a larger home if desired. More space for a septic and well. This property would then follow all restrictions of R-1 the same as my parcel adjacent to it.

Public Comments: There was considerable discussion regarding this change, with discussion of the history of the property and the current easement.

Closing Statement: Same as the Opening Statement.

Chris Khorey of McKenna recommendations:

For the following reasons, we recommend that the Planning Commission recommend that the Township Board approve the rezoning:

1. While the rezoning is not consistent with the letter of the Master Plan, it is consistent with the spirit of the Master Plan's vision for the area.
2. The lot in question is not buildable under its current zoning designation, and R-1 is the only residential Zoning District where it would be buildable.
3. The surrounding uses are consistent with the uses allowable in the R-1 District.

The Planning Commission should also note the following:

1. The rezoning will make the applicant's plan to combine the lot with nearby subdivision lots more streamlined by putting all of the potentially combined lots into a single zoning district. However, the rezoning is not necessary for the lot combinations. Further, granting the rezoning does not guarantee the lot combinations will be approved – the resulting lot or lots would still have to meet the requirements of the Zoning Ordinance.
2. The lot that is proposed to be rezoned does not have lake access, and there is no mechanism for it to be given lake access, because there is no nearby lakefront lot that meets the requirements of Section 14.03 Granting the rezoning would not increase the number of houses with lake access, nor would it open the door to any process that could increase the number of houses with lake access.

Rick Coon and Craig Fichtelberg read three (3) letters opposing the request to rezone the property.

Jim Bowers moved to accept the Rezoning request as submitted, supported by Ann Strong. With five (5) yes and one (1) no, motion carried.

C. Rezoning Hearing for:

Property Owner: Jason & Dawn Shilling

Applicant: Same

Applicant Address: 929 Lester Rd., Quincy, MI 49082

Property Address: Crockett Dr., Quincy, MI 49082

Property Code: 120-005-300-005-10

Requesting: To rezone property from R-2 to R-1

Opening Statement: Asking for the same as Waligora's. By rezoning to R-1 I would then be able to have more space on my property in front of this parcel to build a larger home if desired. More space for a septic and well. This property would then follow all restrictions of R-1 the same as my parcel adjacent to it.

Public Comments: There was no discussion. Waligora's request was first and Shilling's request was the same, the discussion all occurred during the Waligora Hearing.

Closing Statement: Same as the Opening Statement.

Chris Khorey of McKenna recommendations:

For the following reasons, we recommend that the Planning Commission recommend that the Township Board approve the rezoning:

1. While the rezoning is not consistent with the letter of the Master Plan, it is consistent with the spirit of the Master Plan's vision for the area.
2. The lot in question is not buildable under its current zoning designation, and R-1 is the only residential Zoning District where it would be buildable.
3. The surrounding uses are consistent with the uses allowable in the R-1 District.

The Planning Commission should also note the following:

1. The rezoning will make the applicant's plan to combine the lot with nearby subdivision lots more streamlined by putting all of the potentially combined lots into a single zoning district. However, the rezoning is not necessary for the lot combinations. Further, granting the rezoning does not guarantee the lot combinations will be approved – the resulting lot or lots would still have to meet the requirements of the Zoning Ordinance.
2. The lot that is proposed to be rezoned does not have lake access, and there is no mechanism for it to be given lake access, because there is no nearby lakefront lot that meets the requirements of Section 14.03. Granting the rezoning would not increase the number of houses with lake access, nor would it open the door to any process that could increase the number of houses with lake access.

Rick Coon and Craig Fichtelberg read three (3) letters opposing the request to rezone the property during the Waligora Hearing, which also pertain to the Shilling request.

Jim Bowers moved to accept the Rezoning request as submitted, supported by Ann Strong. With five (5) yes and one (1) no, motion carried.

9. Public Comments:

None

Billie Avra moved to adjourn; supported by Ann Strong. Motion carried. Meeting was adjourned at 9:35 pm.

Pricilla Dodd
Recording Secretary

Attached:

1. *Sign-in sheet (1 page)*

