

ISABELLA COUNTY
PLANNING COMMISSION

October 9, 2008

A Regular Meeting of the Isabella County Planning Commission was held on October 9, 2008 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Craig Schripsema, Christine Alwood (arrived 7:40), Marilyn Fosburg, Vance Johnson, Roger Trudell, Bob Thompson, Jerry Neyer.

MEMBERS ABSENT: John Benaske, Richard Recker, Gale Willoughby.

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Michael Zalewski, Planner/Zoning Administrator
Brandy Freed, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:18 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

The Chair requested if there were any additions or deletions to the agenda.

Ms. Fosburg stated that the Union Township rezoning request needs to be added to the agenda.

A motion was made by Mr. Trudell, supported by Mr. Neyer, to approve the agenda as amended.

Yes: Schripsema, Fosburg, Johnson, Trudell, Thompson, Neyer.

No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the September 11, 2008 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Ms. Fosburg, supported by Mr. Trudell, to approve the minutes of September 11, 2008.

Yes: Schripsema, Fosburg, Johnson, Trudell.
No: None.
Abstain: Thompson, Neyer

Motion carried.

LIASON REPORTS

Board of Commissioners – Mr. Trudell reported that the board approved the renewal of the administrator's contract.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

Jackie Curtis, Denver Township, no concerns at this time.

John Graham, Gilmore Township, no concerns at this time.

PUBLIC COMMENT

None heard.

SPECIAL USE PERMIT #08-04

Mr. Thompson explained that the Commission will consider taking action on a Special Use Permit request submitted by Weidman United Methodist Church to construct a 24' x 28' accessory building and to establish an existing church as a conforming use in accordance with Article 12 of the Isabella County Zoning Ordinance. The properties are located at the Northeast and Southeast corner of N. Woodruff Road and Nottawa Street in the Village of Weidman.

Mr. Thompson stated that he owns property within 300' of the Weidman United Methodist Church.

It was the consensus of the board that Mr. Thompson would not have to abstain and could partake in the discussion and take action on the request.

Mr. Zalewski explained that this property and this particular use is a rather unique situation. The property is divided between Sherman and Nottawa Township. Sherman Township has their own zoning ordinance and Nottawa Township has County zoning. Under the County Zoning Ordinance, the property in Nottawa Township is zoned Medium Density Residential (R-2). A church is allowed in the R-2 District as a special use permit. The church approached our office about the possibility of constructing a storage building on their property. Our office advised that could be done if they apply for and obtain a special use permit. However, it was noted in our discussion with them that

they wanted to construct the building on the vacant lot across the street from the church. Section 3.02 of the Zoning Ordinance states that accessory buildings and structures may not be constructed on a lot without a principal building in the residential districts. The church requested an interpretation from the ZBA regarding this particular situation. The ZBA determined that the church would be allowed to construct the building as the special use permit would be inclusive of all of the lots that the church owns and therefore the church building is the principal building for this particular use. Also the church is in the final stages of abandoning the right of way for the alley that is directly adjacent to the proposed site of the accessory building. As indicated on the site plan, the proposed location of the building meets the setback requirements if and when the right of way is abandoned. If for some reason it does not become abandoned, the proposed building location would have to move to meet the setback requirement and the church would have to submit an updated site plan. A condition of approval should be that they bring in the information documenting that the alley has been abandoned. The church has also applied for and received health department approval. Staff has no other concerns with the request.

Mr. Tim Pung, representative for the Weidman United Methodist Church, stated that abandoning the right of way for the Alley is an on going process that should be finalized in the next month or so.

The hearing was opened for public comment at 7:32 pm.

None heard.

The hearing was closed for public comment at 7:33 pm.

Mr. Schripsema asked what the hours of operation were going to be.

Mr. Pung stated that there would be no operational hours because the building would be used for storage purposes.

Mr. Nieporte stated that the church has to come into conformance with the Zoning Ordinance because it is nonconforming now. Therefore the board needs to determine reasonable hours of operation for the church.

Mr. Pung stated that sometimes the church has evening services and they occasionally will have a sunrise service.

Mr. Schripsema stated that it seems reasonable that the nonoperational hours could be from 12:00 a.m. to 6:00 a.m.

A motion was made by Mr. Trudell, supported by Mr. Johnson to approve SUP #08-04 with the nonoperational hours being from 12:00 a.m. to 6:00 a.m. and contingent on the alley being vacated.

Yes: Schripsema, Fosburg, Johnson, Trudell, Thompson, Neyer.
No: None.

Motion carried.

Mr. Pung asked if the alley is not approved to be vacated, does the board need to have another hearing on this case.

Mr. Zalewski stated that he would be able to review an updated site plan in the office.

SPECIAL USE PERMIT #08-05

Mr. Thompson explained that the Commission will consider taking action on a Special Use Permit request submitted by Pine Chapel to establish an existing church as a conforming use in accordance with Article 12 of the Isabella County Zoning Ordinance and to adjoin two existing buildings, enclosing a 12'6" x 34' area, and construct a front porch of 24' x 14' and a rear porch of 10' x 10'. The property is located on the Northeast corner of Cedar Street and Third Street in the Village of Blanchard.

Mr. Zalewski explained that Pine Chapel would like to replace the existing roof on their church building and in the process enclose a 12'6" x 34' area and construct a 14' x 24' covered front porch and a 10' x 10' covered rear porch. The applicant has indicated that the church building has been there for over a hundred years. However, the church is a nonconforming use as it has not nor has it ever been required for them to obtain special use permit approval. Since the church is now expanding it requires special use permit approval. The 14' x 24' covered front porch will only be 12' from the front lot line. The porch will not extend further out than the existing building, however since it is closer than half the district requirement of 35', the front setback exception cannot be approved. Therefore, the church has applied to the ZBA for a front setback variance. They are scheduled to appear before the ZBA on October 15th. Any approval should be conditioned upon the applicant obtaining the variance from the ZBA. Staff would also note that the applicant has not indicated any parking on the site plan. The ordinance requires 15 parking spaces based on the 60 person seating capacity of the church. The applicant has indicated that there is enough area North and South of the church to meet this parking requirement. That area is not established as parking area. Presently they park in front of the building along side of the road. This area appears large enough to accommodate the required 15 parking spaces. The road dead ends at this location and it appears that parking for the cemetery across the street is along the opposite side of the street as well. The applicant is required to submit health department approval. As of today, we have not received a copy of that approval. A condition of approval should be that they submit a copy of health department approval. Staff has no other concerns with the request.

Ms. Alwood arrived at 7:40 p.m.

Mr. Olrich, representative for Pine Chapel, stated that updating the church will be an

improvement to the neighborhood. The road stops in front of the church; it is unknown where the road actually starts and stops.

Mr. Neyer asked if parking would be a problem and if they were required to have designated parking where would they put it.

Mr. Olrich stated that the property is 7 acres; there will be no problems with creating parking if needed. There's a lot of room to the North, it is not paved, but could provide room for parking if need be. He also explained that the church would rarely operate after 10:00 p.m. and there would be a few sunrise services.

The hearing was opened for public comments at 7:45 p.m.

Mr. Bob Kaninsky, stated that he lives in the neighborhood. In the neighborhood there is a half burned down building and a partially torn down elevator. Pine Chapel is going to look better after the proposed improvements.

The hearing was closed at 7:47 p.m.

A motion was made by Mr. Neyer, supported by Ms. Alwood to approve SUP #08-05 as submitted with nonoperational hours from 12:00 a.m. to 6:00 a.m. and contingent on the setback variance being granted from the Zoning Board of Appeals.

Yes: Schripsema, Fosburg, Johnson, Trudell, Thompson, Neyer, Alwood.
No: None.

Motion carried.

ZONING AMENDMENT #08-10

Mr. Thompson explained that the Planning Commission will conduct a public hearing on the proposed text amendment of the Isabella County Zoning Ordinance. This amendment proposes to amend the Isabella County Zoning Ordinance to allow for and regulate Wind Energy Conversion Systems.

The hearing was opened for public comment at 7:50 p.m.

None heard.

The hearing was closed at 7:50 p.m.

A motion was made by Ms. Fosburg, supported by Mr. Johnson to recommend ZA #08-10 to the Board of Commissioners for approval.

Mr. Neyer asked for clarification as to where the language for this amendment came from as he was not at the meeting last month.

Mr. Nieporte stated that the language was compiled using the language from the 2005 proposed ordinance as well as reviewing the state siting guidelines for wind turbines and the sample ordinance provided by Kurt Schindler, Land Use Educator with MSU Extension.

Mr. Trudell asked if there have been many requests for windmills

Mr. Zalewski stated that he had an inquiry for a smaller one for personal use. He also reminded the board that this ordinance is a good starting point, but as the technology of these systems change and become more readily available, different issues may arise that give the Planning Commission reason to consider amending the ordinance.

Discussion was held on others who are contemplating getting Wind Energy Conversion Systems.

Yes: Schripsema, Fosburg, Johnson, Trudell, Thompson, Neyer, Alwood.
No: None.

Motion carried.

Ms. Fosburg suggested that staff should send the Wind Energy Conversion Systems amendment to townships that do not have County Zoning so that they can create a Wind Energy Conversion System Ordinance that is consistent with the Isabella County Zoning Ordinance.

Mr. Thompson asked at what point in the process is staff required to send this information to the townships.

Mr. Nieporte stated that it is not required to send this out to the townships.

Mr. Trudell stated that staff could send it out as a courtesy.

ZONING AMENDMENT #08-11

Mr. Thompson explained that the Planning Commission will conduct a public hearing on the proposed text amendment of the Isabella County Zoning Ordinance. This amendment proposes to amend the Isabella County Zoning Ordinance to allow for and regulate Auction Facilities. This language was reviewed by the Planning Commission at the August and September meeting and set for public hearing.

The public hearing was opened for public comment at 8:00 p.m.

Mr. Michael Hackett stated that the proposed text amendment to the Isabella County Zoning Ordinance is acceptable and a positive step. It is requested that the amendment be approved as proposed.

The public hearing was closed at 8:01 p.m.

A motion was made by Ms. Alwood, supported by Mr. Schripsema to recommend ZA #08-11 to the Board of Commissioners for approval.

Yes: Schripsema, Fosburg, Johnson, Trudell, Thompson, Neyer, Alwood.

No: None.

Motion carried.

UNION TOWNSHIP REZONING REQUEST

Mr. Zalewski stated that the request is to rezone a piece of property that is presently zoned R-1(Rural Residential) and B-4 (General Business) to all B-4. The Township Master Plan has the front of the property as Business and the rear of the property as Residential. As noted the Township Planning Commission thought that was a reasonable departure from the plan. Staff has no concerns with the request.

It was the consensus of the board to send a comment back to Union Township stating that the board has no concerns with the request.

SUBCOMMITTEE UPDATES

Communications Subcommittee – Mr. Thompson stated that they have visited different township meetings, and will continue to do so.

PUBLIC COMMENT

None heard.

STAFF COMMENTS

Mr. Nieporte presented a slideshow before the meeting on a long term orthophotography project.

Mr. Nieporte stated that staff is setting up a training session with Michigan Association of Planning on risk management.

PLANNING COMMISSIONER'S COMMENTS

Ms. Alwood stated that ICTC's millage rate was set at .99 mills. The Board of Commissioners would like ICTC to reduce the fund balance that they have and this in turn may reduce the millage rate. She also explained that Parks and Rec is looking into their reservation process, currently it is on a first come first serve basis.

Mr. Thompson stated that he apologized for missing meetings. He also stated that they need to continue to examine the sub committees to keep them productive.

ADJOURNMENT

The meeting was adjourned by the call of the chair at 8:13 p.m.

Jerry Neyer, Secretary

Brandy Freed, Recording Secretary