

ISABELLA COUNTY
PLANNING COMMISSION

July 8, 2010

A Regular Meeting of the Isabella County Planning Commission was held on July 8, 2010 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Evelyn Kent, Bob Thompson, Jim Kremsreiter, Gordon Gilchrist, Vance Johnson, Jerry Neyer.

MEMBERS ABSENT: Roger Trudell.

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

The meeting was called to order by Chairperson Thompson at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

Mr. Thompson stated that just after last months meeting Commission member Mr. Alger Smock passed away.

APPROVAL OF AGENDA

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

A motion was made by Mr. Neyer, supported by Mr. Gilchrist, to approve the agenda as submitted.

Yes: Kent, Thompson, Kremsreiter, Gilchrist, Johnson, Neyer.

No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the June 10, 2010 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mr. Kent, supported by Mr. Gilchrist, to approve the minutes of the June 10, 2010 meeting.

Yes: Kent, Thompson, Kremsreiter, Gilchrist, Johnson.

No: None.

Abstain: Neyer.

Motion carried.

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that there was a case that involved a sign issue last month. After a long discussion about the case the board approved the variance.

TOWNSHIP CONCERNS

These township representatives were present and expressed the following concerns:

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

Bob Neeland, Isabella Township, no concerns at this time.

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

PUBLIC COMMENT

None heard.

PUBLIC HEARING ON ZONING AMENDMENT #10-03

Mr. Thompson stated that the Planning Commission will consider taking action on a request to rezone a piece of property from Low Density Residential (R-1) to Medium Density Residential (R-2) as requested by the Knights of Columbus Beal City Hall. The property is located at 2765 W. Beal City Road in Section 27 of Nottawa Township.

Mr. Kremsreiter abstained from the public hearing on zoning amendment #10-03 as he is representing the applicant.

Mr. Zalewski explained that the K of C Hall in Beal City is considered a public or institutional use as defined in the Zoning Ordinance. The property located on Beal City Road is Zoned R-1 Low Density Residential. Public and Institutional uses are not permitted in the R-1 district. Therefore, the use is presently non-conforming. They would like to expand their existing building by constructing a 109 square foot office addition. However, they are not permitted to expand the non-conforming use. Therefore, they are requesting the property to be rezoned to R-2 district which allows Public and Institutional uses with a special use permit. The applicant is also requesting a special use permit to bring the property into compliance with the ordinance and allow for the expansion. The request to rezone to R-2 is consistent with the Master Plan. The R-2 district would be compatible with the surrounding zoning district as the property to the West (Township Park) is presently zoned R-2 and the property to the East is zoned R-1. South of this property is presently Ag-1 and North across the street is a mix of R-1, R-2 and Ag-1. The property would appear to be capable of handling any of the uses permitted in the R-2 district. Of the uses permitted in the R-2 district, a public and institutional use would probably be considered

the use that could create the most impact. In this particular case, the use has been operating at the location for several years and it would appear the property is capable of handling this type of use. If the Commission does not have any issues with the request, the next step would be to recommend approval of the rezoning request to the Board of Commissioners.

The public hearing was opened at 7:10 p.m.

None heard.

The public hearing was closed at 7:10 p.m.

A motion was made by Ms. Kent, supported by Mr. Johnson, to recommend to the Board of Commissioners approval of Zoning Amendment #10-03 at their next board meeting.

Yes: Kent, Thompson, Gilchrist, Johnson, Neyer.

No: None.

Motion carried.

PUBLIC HEARING ON SPECIAL USE PERMIT #10-01

Mr. Kremsreiter abstained from the public hearing on special use permit #10-01 as he is representing the applicant.

Mr. Thompson stated that the Planning Commission will consider taking action on a Special Use Permit request submitted by the Knights of Columbus Beal City Hall to construct a 109 square foot addition and to establish an existing public and institutional use as a conforming use in accordance with Article 12 of the Isabella County Zoning Ordinance. The property is located at 2765 W. Beal City Road in Section 27 of Nottawa Township.

Mr. Zalewski stated as discussed in the previous case, the K of C Hall in Beal City would like to expand by constructing a 109 square foot office addition. If the rezoning is approved by the Board of Commissioners, the applicant can obtain special use permit approval to come into compliance with the ordinance and to allow for the office expansion. The applicant has requested the special use permit prior to knowing if the rezoning request will be approved. Therefore, if the Commission decides to grant the special use permit, a condition of that permit shall be that the rezoning must be approved by the Board of Commissioners. If the rezoning is not approved, then the special use permit would not become valid. As a reminder, with all special use permit requests the Commission shall look at and review the general requirements for special use permits in Section 12.03 of the ordinance. If the Commission determines that the use will meet these requirements, then the special use permit can be granted. The Commission can add conditions to the special use permit to assure the applicant will meet the requirements. For this particular use, the Commission will have to adjust the hours of operation as there are times the hall and park are operating after the 8pm requirement. The applicant has submitted the existing system evaluation approval from the health department.

Mr. Kremsreiter stated that the K of C hall would like to build this addition as an office space where they could do paper work and have storage space, neither of which they have had before.

The public hearing was opened at 7:15 p.m.

None heard.

The public hearing was closed at 7:15 p.m.

Mr. Johnson asked staff what they would suggest for a time adjustment to hours of operation.

Mr. Nieporte stated that question could be directed to the applicant, but the board could suggest something like hours to be 8 a.m. to 8 p.m. as specified in the ordinance allowing say 26 days per year to operate until 2 a.m.

Mr. Johnson stated that they could specify 100 days per year allowing them to have parties and such on both weekend days for the majority of the year.

Mr. Thompson stated that it would be more reasonable to allow for 26 days per year.

Mr. Nieporte stated that if the number of days that are specified is not enough the applicant can always come back to the board and have their request amended.

Mr. Kremsreiter stated that 30 days would be more than enough days to operate for parties ending later than 8 p.m.

A motion was made by Mr. Johnson, supported by Mr. Neyer, to approve special use permit request #10-01 as submitted with the following conditions:

- Approval of zoning amendment #10-03 by the County Board of Commissioners
- Hours of operation shall be 8 a.m to 8 p.m. with the exception that the hours may be extended until 2 a.m. for no more than 30 days per year.

Yes: Kent, Thompson, Gilchrist, Johnson, Neyer.

No: None.

Motion carried.

REVIEW OF VERNON TOWNSHIP FARMLAND AGREEMENT RELEASE REQUEST

Mr. Zalewski explained that Theodore Eberhart is requesting removal of a one acre parcel from a farmland agreement. He is requesting the release for "Someone Essential to the Farm". As defined, an "individual essential to the operation of the farm" means a co-owner, partner, shareholder, farm manager, or family member, who, to a material extent, cultivates, operates, or manages farmland under this act." Mr. Eberhart's father passed away in 2008, making him the owner and operator of the farm. The parcel to be removed is the location of Mr. Eberhart's

home. He would like his home separate from the agreement and the farm. One of the requirements for removal from the program is a resolution of approval from the zoning authority, in this case the County Board of Commissioners, that indicates the release is for someone essential to the farm. The County Clerk has requested that the PC review the application for removal. Based on the information presented with the application it would appear that Mr. Eberhart is indeed "Someone Essential to the Farm" and therefore should be allowed to remove the one acre parcel from the agreement.

It was the consensus of the board that they had no concerns with the request and they recommend that staff forward the comments to the County Board of Commissioners.

PUBLIC COMMENT

None heard.

STAFF COMMENTS

Mr. Zalewski stated that last month the board moved to approve the conditional rezoning & septage waste facility language that addressed a couple of issues. Staff will now be working to put together some language on the sign ordinance in the coming months. Also as mentioned previously if the Commission has any suggestions for possible amendments to the ordinance staff would be glad to look into them and present the information to the Commission.

Mr. Nieporte stated that building permit numbers and revenues have increased from last year. Zoning permits are up about 15% - 20% from last years numbers as well. Inspectors from our office are now working with Clare County to do inspections for them. We are currently looking at an RFP with the City of Mt. Pleasant to contract with them to do their building inspection. Staff is still working on the Capital Improvement Plan. The GIS map viewer is currently being updated and we hope to have it up and running by our next meeting so that staff can show the commission before it is rolled out for public use.

PLANNING COMMISSIONER'S COMMENTS

Mr. Johnson stated that staff has been great with Mr. Ron Brown's requests; they did a great job in clarifying the issues for him.

Mr. Gilchrist asked if staff could notify the commission about up coming trainings.

Mr. Neyer stated that on July 24, 2010 there will be a Breakfast on the Farm from 9 a.m. – 12 p.m. at Joe Bryant's farm in Shepherd.

ADJOURNMENT

The meeting was adjourned by the call of the Chair at 7:37 p.m.

Vance Johnson, Secretary

Brandy Harger, Recording Secretary