

ISABELLA COUNTY
PLANNING COMMISSION

September 13, 2012

A Regular Meeting of the Isabella County Planning Commission was held on September 13, 2012 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Cheryl Jindeel, Gordon Gilchrist, Evelyn Kent, Kelly Bean, Bob Thompson, Jerry Neyer, William Dailey.

MEMBERS ABSENT: Christine Alwood.

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Brandy Harger, Recording Secretary

The meeting was called to order by Chairperson Thompson at 7:03 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

Mr. Thompson stated that a new #12 needs to be added for Farmland Agreements submitted by James E. Sr. and Phyllis Recker. A new #13 needs to be added for a Sherman Township Text Amendment; all other items will be moved down accordingly.

A motion was made by Ms. Kent, supported by Mr. Gilchrist, to approve the agenda as amended.

Yes: Jindeel, Gilchrist, Kent, Bean, Thompson, Neyer, Dailey.
No: None.

Motion carried.

PREVIOUS MINUTES

Minutes of the August 9, 2012 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mr. Neyer, supported by Mr. Dailey to approve the minutes as submitted.

Yes: Jindeel, Gilchrist, Kent, Bean, Thompson, Neyer, Dailey.
No: None.

Motion carried.

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that the board will meet next Wednesday to see a case.

Board of Commissioners – Mr. Dailey stated that the Ad Hoc Committee sent 2 letters out to elected officials, Planning Commission members and Zoning Board members from around the County. A

condensed letter also went to the newspaper for print. There has been a lot of feedback generated from these letters; constituents are very upset at the thought of getting rid of zoning. There is nothing in the proposed budget now that indicates any employees will be losing their jobs as the commission has decided to take money that was going to be used elsewhere and fund all positions that were proposed to be eliminated.

TOWNSHIP CONCERNS

Jackie Curtis, Denver Township, none heard.

Bob Neeland, Isabella Township, stated that Isabella Township is very concerned with proposed removal of Zoning in the County.

PUBLIC COMMENT

None Heard.

SITE PLAN REVIEW #12-07

Mr. Thompson stated that the Commission will consider taking action on a site plan submitted by Chuck Griffith on behalf of Luthy Metal Sales to expand a sales and fabricating operation on property located at 5145 North Mission Road in Section 3 of Isabella Township.

Mr. Nieporte explained that Luthy Metal Sales is proposing an expansion which includes the demolition of some existing structures with the addition of a new structure which attaches to both existing structures for the purpose of efficiency and increased storage capacity. As part of the application you will find a demolition plan which shows the net increase gross floor area. Also, please review the attached site plan review check list for any and all comments regarding the request.

Mr. Chuck Griffith, representative of the applicant, gave a presentation on the proposed addition and demolition to the existing Luthy Metal Sales building.

Mr. Nieporte stated that there is a setback of 10' on the side yard unless the adjacent property is residential then the setback is 60', but there is also a yard exception in section 3.31 that applies and allows for the setback to remain as it currently is if there is not over a 25% expansion of the square footage of the existing structure. The dumpster will be located in the alley like portion of the building therefore it will be screened on three sides, which is required by the Zoning Ordinance.

Mr. Neyer asked if the fence existing to the North is adequate.

Mr. Nieporte stated that it is adequate for the residence that is adjacent.

Mr. Thompson asked if the 38' was enough room to have access to the back side of the building.

Mr. Griffith stated that once the addition is complete they would have to access the back of the building by going through it.

Mr. Thompson read the requirements of section 11.06 of the Isabella County Zoning Ordinance

A motion was made by Mr. Neyer, supported by Mr. Gilchrist to approve SPR #12-07 as submitted as it meets the requirements of section 11.06 of the Isabella County Zoning Ordinance.

Yes: Jindeel, Gilchrist, Kent, Bean, Thompson, Neyer, Dailey.

No: None.

Motion carried.

REVIEW OF MASTER PLAN UPDATE

Mr. Nieporte stated that the purpose of this amendment is to bring the Isabella County Zoning Ordinance into compliance with the new requirements of the Michigan Zoning Enabling Act. As you are well aware, at your June 2012 planning commission meeting Staff presented to you the changes to the Master Land Use Plan and a Notice of Intent was mailed as required by the Michigan Planning Enabling Act. You have now had the modifications (Hard Copy and/or Digital) to the Plan since your June meeting which primarily include census data updates from the 2010 census.

A motion was made by Mr. Dailey, supported by Ms. Kent to forward Master Plan Update to the Board of Commissioners recommending it for approval of distribution and comment by townships, cities and villages within and surrounding Isabella County.

Yes: Jindeel, Gilchrist, Kent, Bean, Thompson, Neyer, Dailey.

No: None.

Motion carried.

UNION TOWNSHIP REZONING REVIEW

The Union Township Planning Commission is recommending to their Township Board the rezoning of a piece of property adjacent and to the south of the existing Copper Beach Town Homes on Bluegrass Road in section 26 of Union Township. The request is to rezone from B5 (Highway Business) to R3A (Apartments and Condominiums). After reviewing the request and the township Master Plan regarding future development it has been determined that the request is consistent with the current Master Plan based on the infill and development requirements of the Plan.

It was a consensus of the Board to forward comments to Union Township.

FARMLAND AGREEMENT REVIEW – POHL PROPERTIES LLC

Mr. Nieporte explained that our office received four Farmland and Open Space Preservation Program applications from the Isabella County Clerk's office. All four applications have been submitted by Pohl Properties LLC, three of which are located in Nottawa Township and one is located in Denver Township of Isabella County. The first application is for 39.5 acres and is located in Section 36 of Nottawa Township. The property is currently zoned AG-1 (Restrictive Agricultural) and is surrounded on three sides by current PA116 agreements. The future land use plan calls for the property to be AC (Agricultural Conservation). The second application is for 40 acres and is located in Section 14 of Nottawa Township. The property is currently zoned AG-1 (Restrictive Agricultural) and is surrounded on three sides by current PA116 agreements. The future land use plan calls for the property to be AC (Agricultural Conservation). The third application is for 73 acres and is located in Section 26 of Nottawa Township. The property is currently

zoned AG-1 (Restrictive Agricultural) and has current PA116 agreements on two sides. The future land use plan calls for the property to be AC (Agricultural Conservation). The fourth application is for 38 acres and is located in Section 31 of Denver Township. The property is currently zoned AG-2 (General Agricultural) and has current PA116 agreements on two sides. The future land use plan calls for the property to be AC (Agricultural Conservation). The applications appear to be complete. Other than the applicant left the number of years to be in the program blank. The applicant was contacted and indicated that they will be leaving the parcels in the PA116 program for 10 years.

It was a consensus of the Board to forward comments on.

FARMLAND AGREEMENT REVIEW – JAMES E. SR. AND PHYLLIS RECKER

Mr. Nieporte explained that our office has received Seven (7) additional farmland agreement applications for review by the Planning Commission. They were received after your monthly packet was already sent out. The applications are for seven (7) separate properties owned by James E. Sr. and Phyllis Recker. Three of the applications are for properties located in section 4 of Lincoln Twp. and the other four (4) applications are located in sections 32-33 of Union Twp.

1. 10-004-30-001-11; the application is for a 25 acre parcel currently zoned AG-1. The Future Land Use Plan calls for Agricultural Conservation in this section. The nearest current PA116 Agreement is in section 33 of Union Twp. this parcel is directly adjacent to parcel 10-004-20-002-00 which is also being applied for below.
2. 10-004-30-004-00; the application is for 21 acres of 65 acre parcel currently zoned AG-1. The Future Land Use Plan calls for Agricultural Conservation in this section. The nearest current PA116 Agreement is in section 33 of Union Twp. approximately ½ mile to the northeast.
3. 10-004-20-002-00; the application is for 85 acres of a 101 acre parcel currently zoned AG-1. The Future Land Use Plan calls for Agricultural Conservation in this section. The nearest current PA116 Agreement is in section 33 of Union Twp. directly adjacent to the north.

One comment that should be pointed out is that each agreement is a separate application thus application one (1) and application two (2) above are for parcels under forty (40) acres in size. According to Section IV (Land Eligibility Qualifications) question 17 states “To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.”. The applicant has indicated that the average gross annual income is less than \$200.00 on both applications one (1) and two (2) above.

The four (4) applications in Section(s) 32-33 of Union Twp are as follows:

4. 14-032-40-001-00; the application is for a 160 acre parcel currently zoned AG-1. The County Future Land Use Plan calls for Agricultural Conservation in this section. Union Twp. also has this property zoned AG and their Plan has it as A1-Agricultural (No Development) on their development priority area map. The nearest current PA116 Agreement is in section 33 of Union Twp.
5. 14-033-30-004-00; the application is for a 38 acre parcel currently zoned AG-1. The County Future Land Use Plan calls for Agricultural Conservation in this section. Union Twp. also has this property zoned AG and their Plan has it as A1-Agricultural (No Development) on their development priority

area map. The nearest current PA116 Agreement is in section 33 of Union Twp. and this application is adjacent across the road from the application for the 160 acre parcel above.

6. 14-032-20-002-02; the application is for a 64 acre parcel currently zoned AG-1. The County Future Land Use Plan calls for Agricultural Conservation in this section. Union Twp. also has this property zoned AG and their Plan has it as A1-Agricultural (No Development) on their development priority area map. The nearest current PA116 Agreement is in section 33 of Union Twp. and this application is adjacent to the north from the application for 160 acre parcel above.
7. 14-032-20-002-12; the application is for a 12 acre parcel currently zoned AG-1. The County Future Land Use Plan calls for Agricultural Conservation in this section. Union Twp. also has this property zoned AG and their Plan has it as A1-Agricultural (No Development) on their development priority area map. The nearest current PA116 Agreement is in section 29 of Union Twp. and this application is not adjacent to but just north from the application for the 64 acre parcel above.

Once again, one comment that should be pointed out is that each agreement is a separate application thus application five (5) and application seven (7) above are for parcels under forty (40) acres in size. According to Section IV (Land Eligibility Qualifications) question 17 states "To qualify as agricultural land of 5 acres or more but less than 40 acres, the land must produce a minimum average gross annual income of \$200.00 per acre from the sale of agricultural products.". The applicant has indicated that the average gross annual income is less than \$200.00 on both applications five (5) and seven (7) above.

The applications appear to be complete and staff has no other concerns with the requests at this time.

It was a consensus of the Board to forward comments on.

SHERMAN TOWNSHIP TEXT AMENDMENT

Mr. Nieporte stated that Sherman Township has forwarded a proposed text amendment that will amend section 3.12 of their Zoning Ordinance to prohibit fences over 4' tall in front and side street side setbacks. This is very standard language and staff sees no problems with it.

It was the consensus of the board to forward comments to Sherman Township.

FY13 BUDGET DISCUSSION

The board held discussions on the proposed FY13 Budget.

PUBLIC COMMENT

Ms. Jackie Curtiss asked if Mr. Welty's position will be filled.

Mr. Nieporte stated that administration has been notified, but they handle the appointment.

STAFF COMMENTS

Mr. Nieporte stated that he will get a card for Mike and address it on behalf of the board. He also reminded the board that the upcoming training session will be held on September 26, 2012 from 6:00 – 9:00. Finally, he stated that the Zoning Board of Appeals would be hearing an appeal on the Sawmill case that the Planning Commission approved last month.

PLANNING COMMISSIONER'S COMMENTS

Mr. Gilchrist asked if someone will be appointed to fill in for Mike while he is out.

Mr. Nieporte stated that he has requested to have someone come in part time for 6 – 12 months while Mike is out of the office.

ADJOURNMENT

The meeting was adjourned by the call of the Chairperson at 8:52 p.m.

Christine Alwood, Secretary

Brandy Harger, Recording Secretary