

ISABELLA COUNTY
PLANNING COMMISSION

October 10, 2013

A Regular Meeting of the Isabella County Planning Commission was held on October 10, 2013 in Room 225 of the Isabella County Building, 200 North Main Street, Mt. Pleasant, Michigan.

MEMBERS PRESENT: Gordon Gilchrist, Jerry Neyer, Cheryl Jindeel, Kelly Bean, Heather Turner, Evelyn Kent

MEMBERS ABSENT: Christine Alwood, Phillip Vogel, Jim Horton

SUPPORT STAFF PRESENT: Tim Nieporte, Community Development Director
Kim Kennedy, Recording Secretary

The meeting was called to order by Mr. Neyer at 7:00 p.m.

The Pledge of Allegiance was recited by the Commission.

APPROVAL OF AGENDA

A motion was made by Mr. Bean supported by Ms. Turner to approve the agenda as amended.

Ayes: Gordon Gilchrist, Jerry Neyer, Cheryl Jindeel, Kelly Bean, Heather Turner, Evelyn Kent

Nays: none

Motion carried.

PREVIOUS MINUTES

Minutes of the September 12, 2013 regular meeting were circulated to the Commission prior to the meeting for their review.

A motion was made by Mrs. Kent supported by Mr. Bean to approve the minutes as submitted.

Ayes: Gordon Gilchrist, Jerry Neyer, Cheryl Jindeel, Kelly Bean, Heather Turner, Evelyn Kent

Nays: none

Motion carried.

LIAISON REPORTS

Zoning Board of Appeals – Mr. Gilchrist stated that the Board will be meeting October 23, 2013

Parks & Recreation – none

Board of Commissioners – none

TOWNSHIP CONCERNS

Jackie Curtis/Denver Township – Things are going well.

Bob Neeland/Isabella Township – none presented

PUBLIC COMMENT

None heard.

PUBLIC HEARING ON SPECIAL USE PERMIT #13-02

Mr. Nieporte explained that the Planning Commission will consider taking action on a Special Use Permit request submitted by Krista Pohl proposing to operate a Bed and Breakfast located at 1745 E Rosebush Rd in section 8 of Isabella Township. The property is zoned Ag-1 Restrictive Agriculture. The Pohl's raise and pasture Bison on the property and operate a Specialty type Commercial Agricultural / Agricultural Tourism activity as a permitted use with Bison meat sales. This proposal would allow the Pohl's to rent out rooms in the residence as a Bed and Breakfast.

The application for a Special Land Use Permit requires a notice of public hearing published in the news paper and notification to property owners within 300' of the proposed use. All notifications have been made.

Mr. Nieporte stated that the applicant appears to have met all design standards for special land use under Section 12.05 (F) Bed and Breakfasts of the Ordinance. Therefore, the Planning Commission shall review, determine and find fact that the general requirements under Section 12.03 of the Ordinance have been met. Please note that Section 12.03 (F) restricts the hours of operation from 8:00 am to 8:00 pm unless otherwise approved by the Planning Commission. Staff would recommend that the Planning Commission remove the restriction based on the fact that the proposed use is a 24 hour operation by definition. Both proposed parking and proposed signage are in compliance with the Ordinance for a Bed and Breakfast establishment.

Mr. Gilchrist inquired why the request was for only the weekends.

Ms. Pohl's stated that she works full time and the weekends are the only time she is available.

Mr. Neyer inquired if Ms. Pohl preferred the hours of operation being changed to 24 hours to better accommodate their business.

Ms. Pohl stated that most guests would arrive by 7:00 pm but some as late as 11:00pm.

Mr. Nieporte recommended that the Planning Commission open up the hours of business to not restrict to weekends only and to allow 24 hours of operation.

The public hearing was opened at 7:12 p.m.

No public comments were heard.

The public hearing was closed at 7:12 p.m.

The board reviewed section 12.03 General Requirements for Special Land Use Permit.

A motion was made by Ms. Tuner supported by Mr. Gilchrist to approve SUP #13-02 as submitted as they are consistent with the requirements of section 12.03 of the Isabella County Zoning Ordinance. With the following conditions:

- The hours of operation for a special use restricted from to 8:00 am to 8:00 pm under section 12.03 (F) of the General Requirements for a Special Land Use Permit be removed and allow the Bed and Breakfast to operated 24 hours per day.

Yes: Jerry Neyer, Cheryl Jindeel, Kelly Bean, Evelyn Kent

No: None.

Motion carried.

PUBLIC HEARING ON SPECIAL USE PERMIT #13-03

Mr. Nieporte explained that the Planning Commission will consider taking action on a Special Use Permit request submitted by Jeff and Besty Stonerock proposing to expand their Family Child Care Home to a Group Child Care Home in their residence located at 1635 N. Whiteville Rd in Section 30 of Isabella Township. The property is currently zoned AG-1 Restrictive Agriculture. The Group Child Care Home allows more than six (6), but less than twelve (12) minor children receiving care for less than twenty- four (24) hours. Group Child Care Homes are permitted by Special Land Use Permit. The Stonerock's currently operate a Family Child Care Home and need zoning approval to obtain State licensing for the Group Child Care Home.

The application for a Special Land Use Permit requires a notice of public hearing published in the news paper and notification to property owners within 300' of the proposed use. All notifications have been made.

The applicant(s) appear to have met all design standards for special land use under Section 12.05 (S) Group Child Care Homes of the Ordinance. Therefore, the Planning Commission shall review, determine and find fact that the general requirements under Section 12.03 of the Ordinance have been met. Because the Group Child Care licensing by the State requires zoning approval prior to license approval, staff would recommend any approval be contingent upon copies of the Group

Child Care Home license approval by the State be provided and inserted into the file. The existing parking is adequate to service the additional drop offs, the outside play area is already fenced as per the Ordinance and there is no existing or proposed sign.

Mr. Neyer inquired if this is an existing operation.

Ms. Stonerock stated they have been in business 25 years.

Ms. Stonerock stated that to be State licensed for more than six (6) minor children she needed to have zoning approval from the County.

Mr. Gilchrist asked if the State license limits her to twelve (12) minor children.

Ms. Stonerock stated yes.

Mr. Gilchrist inquired if the hours 8 am – 8pm work for this business.

Ms. Stonerock stated that she has parents that need to be to by work by 6:00 am so children are being dropped off around 5:15 am. Normal hours of operation are 6:00 am to 6:00 pm.

Mr. Gilchrist asked if the state license would cover that.

Ms. Stonerock stated yes.

Mr. Nieporte started Isabella County Special Use Permit does restrict special land uses to the hours of 8:00 am – 8:00 pm. It maybe be in the best interest to change the hours for this use from 5:00 am to 8:00 pm since some parents need to be to work by 6:00 am.

The public hearing was opened at 7:22 p.m.

No public comments were heard.

The public hearing was closed at 7:22 p.m.

The board reviewed section 12.03 General Requirements for Special Land Use Permit.

A motion was made by Mr. Gilchrist supported by Ms. Tuner to approve SUP #13-03 as submitted as they are consistent with the requirements of section 12.03 of the Isabella County Zoning Ordinance. With the following conditions:

- The hours of operation for a special use restricted from to 8:00 am to 8:00 pm under section 12.03 (F) of the General Requirements for a Special Land Use Permit be expanded to from 5:00 am to 8:00 pm to allow for early morning drop-off and late evening pickup.
- Approval is contingent upon copies of the Group Child Care Home license approval by the State be provided and inserted into the file.

Yes: Jerry Neyer, Cheryl Jindeel, Kelly Bean, Evelyn Kent

No: None.

Motion carried.

SPR #13-10 Quality Truck and Tire Service

Mr. Nieporte stated that the Commission will consider taking action on a Site Plan Review #13-10 submitted by Marlin Fox. Mr. Fox is proposing to establish Quality Truck and Tire Service LLC at the existing Auto Auction location on North Mission Rd in Section 11 of Vernon Township. The property is zoned Ag-2 General Agriculture. This property was originally developed as a John Deere Dealership 10 plus years ago. After the Dealership went out of business the use was changed and a Special Land Use was granted for an Auto Auction facility to operate from said property under the definition of a Salvage Yard. While the Auto Auction property is for sale the Special Land Use still exists. Therefore, because by definition the proposed use also fits the definition in the Ordinance for a Salvage Yard we are treating this as a change of use under the same Special Land Use Permit and requiring a full Site Plan Review.

After a thorough review by staff the application appears to be complete, meets all requirements of the Ordinance and meets the Standards for Site Plan Approval. Therefore, staff would recommend approval of said application contingent upon the following:

- All signage must be in compliance with the current Ordinance requirements.
- All exterior lighting shall be down shielded and directed away from adjacent properties.
- All outside display areas are solely for the display of vehicles for sale.
- All maintenance or repairs to vehicles shall be performed inside the Building.
- All refuse containers shall be screened in compliance with the current Ordinance requirements so as not to be seen from adjacent properties.
- All outside storage of salvageable dismantled materials such as but not limited to tires and automobile parts shall be in a completely enclosed fenced or screened area so as not to be seen from adjacent properties. All such screening shall be in accordance with the Zoning Ordinance.

Discussion occurred.

Mr. Nieporte passed out a letter given to him from Vernon Township in support of Quality Truck and Tire to retain the Special Land Use Permit at the location of 10532 N Mission Rd., Clare, MI.

A motion was made by Mr. Bean supported by Ms. Tuner to approve SPR #13-10 as submitted with the following conditions:

- All signage must be in compliance with the current Ordinance requirements.
- All exterior lighting shall be down shielded and directed away from adjacent properties.
- All outside display areas are solely for the display of vehicles for sale.
- All maintenance or repairs to vehicles shall be performed inside the Building.

- All refuse containers shall be screened in compliance with the current Ordinance requirements so as not to be seen from adjacent properties.
- All outside storage of salvageable dismantled materials such as but not limited to tires and automobile parts shall be in a completely enclosed fenced or screened area so as not to be seen from adjacent properties. All such screening shall be in accordance with the Zoning Ordinance.

Yes: Jerry Neyer, Cheryl Jindeel, Gordon Gilchrist, Evelyn Kent

No: None.

Motion carried.

Farmland Agreement (PA116) - McConnell Farms LLC, Wise Township

McConnell Farms LLC are requesting to enter an 83 acre parcel of land they own in section 30 Wise Township into the Farmland and Open Space Preservation Program (PA 116). The application appears to be complete, the request is for 40 years. The current County Master Plan has this property identified as Rural Agricultural Residential (RAR) and the current Zoning on the Property is Agricultural Buffer (AG-3). This application appears to be consistent with the County Master Plan and therefore, upon consensus of the commission, staff will forward the application back to the Wise Township Clerk with any referenced comments.

The Board reviewed the applications and it was a consensus of the Board to forward comments back to Wise Township that the applications appeared complete and consistent with the County Master Plan.

Farmland Agreement(s) (PA116) – Gary Noble, Lincoln Township

Gary Noble is requesting to enter an 80 acre parcel of land and a 40 acre parcel of land he owns in section 29 of Lincoln Township; and, he is also requesting to enter a 39 acre parcel of land and a 36 acre parcel of land he owns in section 30 of Lincoln Township into the Farmland and Open Space Preservation Program (PA 116). The application(s) appear to be complete, all requests are for 10 years. The current County Master Plan has all properties identified as Rural Agricultural Residential (RAR) and the current Zoning on the Properties are Restrictive Agricultural (AG-1) in Section 30 and General Agriculture (AG-2) in Section 29. These application(s) appear to be consistent with the County Master Plan and therefore, upon consensus of the commission, staff will forward the application(s) back to the Clerk with any referenced comments.

The Board reviewed the applications and it was a consensus of the Board to forward comments back to the County Clerk that the applications appeared complete and consistent with the County Master Plan.

Correspondence from Patrick Parks

On September 17, 2013 the Community Development Department received a letter of correspondence addressed to the Planning Commission regarding the drafting of language for a text amendment to allow outside storage at Mini Warehouse (Mini Storage) uses. The current Ordinance prohibits outside storage for these specific types of uses.

Also, on September 17, 2013 I directed staff to submit a response letter to Mr. Parks informing him that our office had received his letter and would be forwarding it on to the Planning Commission. We further indicated that we would place this item on our amendment list for review and consideration during the annual Planning Commission establishment of goals or to contact us if he needed to expedite the process.

Our office has not received any additional correspondence from Mr. Parks.

PUBLIC COMMENT

Mr Peter Reale inquired if downtown Mt Pleasant was part of the Boards' jurisdiction.

Mr Nieporte explained that the State Law restricts Counties zoning Cities and Villages.

Discussion occurred

STAFF COMMENTS

None

PLANNING COMMISSIONER COMMENTS

Mr. Gilchrist stated he is looking forward to the Zoning Board meeting coming up on Oct 23, 2013.

ADJOURNMENT

The meeting was adjourned by the call of the Chairperson at 8:00 p.m.



Christine Alwood, Secretary *KE*
Kim Kennedy, Recording Secretary