

CHARTER TOWNSHIP OF MONITOR  
REGULAR PLANNING COMMISSION MEETING  
May 6, 2014

The meeting was called to order by Chairman J. Bellor at 7:00 p.m.

The Pledge of Allegiance was recited.

Members present: E. Arnold, J. Bellor, R. Campbell, D. Darland, J. Frank, C. Hoyle,  
M. Morin

Members absent: None

Also present: R. Sheppard, Planning Attorney; P. Lippen, Planner

**Motion by M. Morin seconded by J. Frank to adopt the agenda as presented.**

Motion carried.

**Motion by J. Frank seconded by R. Campbell to approve the minutes of the April 1, 2014 regular meeting as presented.**

Motion carried.

**Public Input**

Chairman Bellor opened public comment at 7:03 p.m. Darrin Nichols owns a building on 15 Salzburg. When he purchased it, it was residential and commercial--there were renters upstairs. He lived there for a while and had an office there. He would like to change the use to have renters in the building. He is looking for a way to have it be more residential than commercial. He is trying to refinance, but is not able to because it is zoned Commercial.

Attorney Sheppard replied that the ordinance does not allow a residential structure and use in a commercial district. His property abuts a residential district so he could have it rezoned residential, but that would not allow for a duplex. This house is not set up as a duplex.

A lot of discussion was held regarding ways to correct this type of issue. Sheppard's suggestion is to seek input from the Board as to what they would like done with the residential/commercial mix in that area.

Planner Lippen suggested one method would be to add a text amendment to the ordinance which would allow the Planning Commission to issue Special Use Permits for that mixed use which would not require rezoning.

Another suggestion is Conditional rezoning allowing properties to be rezoned under certain conditions as requested by the owner who determines the conditions.

Sheppard noted that he thinks it is a bigger issue than conditional zoning would fix because the homes on the other side of the street abut Industrial property. It would not address homes across the street. Mr. Nichols now knows his options.

E. Arnold suggested that Conditional zoning would be the quickest way to handle this request which is already in place in Sec. 19.04.

E. Arnold will bring this matter up for discussion at the next Board meeting.

Public Input closed at 7:25 p.m.

### **Items for Consideration**

#### **Great Lakes Storage Public Hearing for Special Use, 09-100-036-400-052-00**

Planner Lippen reviewed the application and recommended approval for Special Use.

Public hearing was opened and closed with no public input.

#### **~~D. Darland moved to approve a Special Use Permit for Great Lakes Storage, 09-100-036-400-052-00. Supported by R. Campbell.~~**

~~Roll call vote:~~

~~Yes: Arnold, Bellor, Campbell, Darland, Frank, Hoyle, Morin~~

~~No: None~~

~~Absent: None~~

~~Motion carried.~~

#### **Great Lakes Storage Site Plan Review 09-100-036-400-052-00**

Planner Lippen reviewed the site plan and recommended approval with a few conditions.

- 1) Revise the parking plan;
- 2) Provide As-built plans when complete.

The applicant noted reasons why it was difficult to meet all requirements for landscaping.

J. Bellor asked the applicant to identify the rectangular area on the site plan partly to the south of the proposed building. It appears to be in error as there is nothing there.

J. Bellor asked about elevations and height of the building.

Planner Lippen said that the building would be sixteen (16) feet with the sidewall ten (10) feet.

J. Frank had some comments. As a farmer, he understands the adjoining property owner's (Mr. Mammel) desire not to have shrubbery or trees on the north and south side of his property. He would like to suggest that the fence be painted. Replace front fence with wrought iron. Remove the barbed wire. He feels that it would make the property more attractive. There is no way that this long established property will be able to be in complete compliance.

Campbell noted that it isn't possible to see the back of the buildings from M-84.

E. Arnold asked Attorney Sheppard if a plan is approved if it should be followed and built as shown on the plan. The applicant's plans do not show what the building is going to look like because there are no elevations shown. Doorways are not shown going into the office. He asked where in the ordinance we can get around the screening requirement?

E. Arnold would like to see the elevations drawing of the building. He noted that parking places are shown tight to the building.

Planner Lippens that his review responded to the directions given by the Planning Commission at the last meeting. Sec. 3.19 says that the floor plan may be presented for informational purpose if available.

Attorney Sheppard noted that we do not have the power to grant variances, however under 16.05(d) regarding non-conforming buildings, the Planning Commission does have the discretion to set conditions on a building which make it more conforming. The Planning Commission can approve eliminating the shrubs.

E. Arnold noted that if there is an existing office, it should be shown on the site plan and also note that it will be removed. The site plan is supposed to be complete before coming to the Planning Commission. The Planner should find these issues.

R. Campbell feels that we have a set of rules that we should abide by. However, sometimes it depends on the level of trust that we have with the applicant. Each parcel is unique.

**J. Frank moved to approve the site plan for Great Lakes Storage 09-100-036-400-052-00 with initialed corrections that are on the site plan, those being to remove shrubs on the west end of the property, remove the barbed wire, remove the front chain link fence and replace it with a wrought iron fence. No support.**

**D. Darland moved to rescind the special use permit which was approved at the beginning of the meeting. Supported by J. Frank.**

Roll call vote:

Yes: Bellor, Campbell, Darland, Frank, Hoyle, Morin, Arnold

No: None

Absent: None

**Motion to Rescind the Special Use Permit approved.**

**D. Darland moved to approve a Special Use Permit for Great Lakes Storage, 09-100-036-400-052-00, with the following conditions:**

- 1) Remove barbed wire from fencing.**
- 2) Existing fence be painted and repaired as needed by the time of occupancy,**
- 3) the final site plan will show location of office door,**

- 4) ADA parking must be shown on the site plan in addition to other parking spaces,
- 5) trees and shrubs along the west side of the property are excluded,
- 6) include notation of existing trailer office to be removed upon occupancy permit of proposed buildings,
- 7) as-builts of the site plan be submitted to the township

All of the above is subject to site plan approval and all unpaid Township professional consulting fees must be paid prior to a building permit being issued. These changes are an enhancement to the existing non-conforming property. Supported by J. Frank.

Roll call vote:

Yes: Campbell, Darland, Frank, Hoyle, Morin, Bellor

No: Arnold

Absent: None

**Motion carried to grant the special use permit with conditions.**

**R. Campbell moved to approve the site plan for Great Lakes Storage, 09-100-036-400-052-00, with the conditions mentioned in the special use permit. Supported by C. Hoyle.**

Roll call vote:

Yes: Campbell, Frank, Hoyle, Morin

No: Arnold, Bellor, Darland

Absent: None

**Motion to approve passed.**

**Motion by R. Campbell, supported by C. Hoyle to amend the approved site plan for Great Lakes Storage, 09-100-036-400-052-00, by adding the following:**

- 1) Drawing of the trailer to be included on the print with a notation that it will be removed;
- 2) Removal of trees on the west end of the site plan;
- 3) the office door be noted on the plan;
- 4) ADA parking is shown.

**The site plan is to be reviewed by the planner and signed by the Planning Commission chair prior to a permit being issued.**

Roll call vote:

Yes: Hoyle, Morin, Campbell, Darland, Frank

No: Arnold, Bellor

Absent: None

**Motion carried to amend the site plan.**

Hampton Inn Final Site Plan Review, 09-100-M03-000-007/008-00

Planner Lippen reviewed the conditional approval granted in September, 2013. The conditions were 1) the sign must be revised to meet ordinance requirements or a variance must be sought; 2) a drain permit must be obtained; 3) DEQ approval; and 4) a document of easement for future looped water system must be obtained.

All of the conditions have been met except that the applicant has not been able to obtain a document of an easement for the looped water system.

Other items which were noted in the new site plan submission were 1) variation in materials and colors of the building, 2) there is one additional room which required another banked parking space which the applicant has added.

The easement is to be reviewed by the Township Engineer from Spicer, and Township Attorney, Rick Austin, for approval of the easement as proposed. Once the recorded easement is received the condition is met and a building permit can be issued.

**M. Morin moved to approve the Hampton Inn site plan 09-100-M03-000-007/008-00, with the conditions that the Township attorney and engineer approve the easement for a looped water system and the recorded copy be on file with the Township prior to issuance of a building permit; all township professional fees be paid before permit issuance; and a property address be assigned. Supported by E. Arnold.**

Roll call vote:

Yes: Hoyle, Morin, Arnold, Bellor, Campbell, Darland, Frank

No: None

Absent: None

**Motion carried to approve.**

Public Hearing for Nonconformities Amendment to Ordinance 52, Sec. 16

Planner Lippen noted that the text of the ordinance was reviewed last month and no changes were made. The amendment deals with nonconformance due to the physical limitations of the lot.

Public hearing opened. The process was explained to Mr. and Mrs. Baker of 3700 2 Mile Rd. and a copy of the proposed ordinance was given to them. Public hearing was closed.

**Motion by C. Hoyle supported by M. Morin to approve recommendation to the Township Board of an amendment to Ordinance 52, Section 16 dealing with nonconforming lots of record.**

Roll call vote:

Yes: Darland, Frank, Hoyle, Morin, Arnold, Bellor, Campbell

No: None

Absent: None

**Motion carried to approve the amendment.**

Public Hearing for Building Department Job Descriptions

Public Hearing opened and closed with no one present to speak.

**D. Darland moved to approve recommendation of Building Department Job Descriptions to the Township Board for approval. Supported by J. Frank.**

Roll call vote:

Yes: Morin, Arnold, Bellor, Campbell, Darland, Frank, Hoyle

No: None

Absent: None

**Motion carried.**

**J. Bellor moved to table discussion of the Fence Ordinance until the next meeting.**

Motion carried.

**Communications**

**R. Campbell moved to accept Communications. Supported by J. Frank.**

**Motion carried.**

**C. Hoyle moved to adjourn, supported by J. Frank. Motion carried.**

Meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Dan Darland  
Secretary

DD/jw