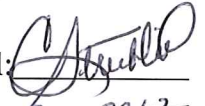



**YANKEE SPRINGS TOWNSHIP
 PLANNING COMMISSION
 Regular Meeting
 Thursday, 16 August 2012
 Yankee Springs Township Hall
 284 North Briggs Road,
 Middleville, Michigan 49333**

FINAL MINUTES
 Page 1 of 5

Approved: 
 9-20-2012

Transmitted electronically 8/23

MINUTES	
<p>Meeting called to order at 7:00 PM by Chairman Frank Fiala. <u>Roll Call:</u> Wells, Beukema, Purcell, Schwennesen, Strickland, Fiala. Absent: Cunningham (absent with notice) (Cunningham joined the meeting at 9:10 p.m.) <u>Staff Present:</u> Constable Jim Orr, Zoning Administrator Robert Lippert. Sarah Traxler, of McKenna & Assoc. <u>Visitors:</u> 7 (not including staff present).</p>	<p>CALL TO ORDER</p> <p>PLEDGE</p> <p>ROLL CALL</p>
<p>ADDITIONS OR CORRECTIONS TO AGENDA: No Changes to the agenda.</p>	<p>ADDITIONS TO AGENDA</p>
<p>MEETING REPORTS: <u>ZBA REPORT: Gordon Wells:</u> <ul style="list-style-type: none"> No meeting held. <u>BOARD OF TRUSTEES REPORT: Al Schwennesen</u> <ul style="list-style-type: none"> Meeting was held July 12, 2012. Special Assessment 2nd hearing was held for Manitou Lane, Shaw Lake Drive and Hill Street. New Cemetery contract was signed for approximately \$15,000. New Pennock Medical Center would like to have a 25K run around Gun Lake requiring permits from M-DOT (in the fall of 2013). CPR Classes will be offered at the Township Hall on Sept 29th from 6 to 10 pm Hall parking lot improvement will take place for the hall, not the fire barn, at \$95,000. Bid opening was today for the Handicap Restroom; Hall Entry Doors and Canopy. No source found as of yet for the E. coli at Gun Lake. M. Cook found errors in the July Capital Improvement Plan and it has been revised. <u>ZONING ADMINISTRATOR'S REPORT: Robert Lippert</u> <ul style="list-style-type: none"> A written Zoning Administrator's report will go in Frank Fiala's in-box for the Planning Commission's review. </p>	<p>MEETING REPORTS</p>
<p>PUBLIC COMMENT: None at this time.</p>	

	FINAL MINUTES August 16, 2012 Page 2 of 5 APPROVED: 
<p><u>APPROVAL OF MINUTES</u></p> <p>A typographical error was pointed out by Al Schwennesen. On page 2, at the first bullet point, 1,200 square feet should be 12,000 square feet.</p> <p>Motion to approve PC meeting minutes of July 19, 2012 as amended. Motion Carried.</p>	APPROVAL OF MINUTES
<p>McKenna Billing (July 2012): Motion by Schwennesen with support from Wells to confirm the July 2012 billing from McKenna Associates in the amount of \$495.00. Approved by all. Motion carried.</p>	McKenna Billing – July 2012
<p><u>NEW BUSINESS:</u></p> <p>Capital Improvement Plan: Briefly discussed. Errors as pointed out by M. Cook have been corrected.</p> <p>PUBLIC HEARING: ZOC 12-07-01 Herbert Welz. Rezoning request C2 to C3. (11332 W. M-179)</p> <p>The application to rezone from C-2 to C-3 is needed to accommodate the proposed drive-up window. However, C-3 zoning requires a minimum of 150 feet of frontage. The proposed location is 27 feet short of the 150 foot minimum width.</p> <p>Welz has applied to appear before the ZBA at the September 11, 2012 meeting to request a variance in the minimum lot width. The notice for the Public Hearing of Welz' request for variance will appear in this week's <u>Sun & News</u>.</p> <p>At 7:18 p.m., Frank Fiala opened the meeting for public hearing.</p> <p>Chuck Biggs asked if Welz was requesting the township to rezone the piece of property formerly known as the Sea Shanty. It was confirmed that that was the intent of the Public Hearing.</p> <p>Gary Meyers said that he has no problem with Welz' request. but asked Welz about future expansion. Welz replied that he is only planning bakery production for the local area at this time.</p> <p>Bruce Campbell, owner of the neighboring Sand Bar & Grill, supports Welz and feels it would be a good addition to the area.</p> <p>At 7:25 p.m., Fiala, Chairperson, closed the public hearing.</p> <p>Motion by Purcell with support from Schwennesen to approve for request ZOC 12-07-01 Herbert Welz for zoning of 11332 W. M-179 from C2 to C3 contingent upon approval by the ZBA to grant a variance with frontage requirement.</p>	<p>NEW BUSINESS</p> <p>Capital Improvement Plan</p> <p>Public Hearing – Welz ZOC 12-07-01 Re-zoning Request</p>

FINAL MINUTES

August 16, 2012

Page 3 of 5

APPROVED: 

**Public Hearing – Welz
ZOC 12-07-01
Re-zoning Request,
continued**

ROLL CALL: Beukema: yes, Wells: yes, Fiala: yes, Schwennesen: yes, Purcell: yes, Strickland: yes. Cunningham: absent. Yes: 6, No: 0. (Absent: 1). MOTION CARRIED. R. Lippert noted that the Board of Trustees will meet on Sept. 13, 2012

CSPR 12-07-04 – Herbert Welz – Site Plan Review-

Sarah Traxler of McKenna reviewed her memorandum regarding the proposed Bakery and Bistro, CSPR12-07-04, 11332 W. M-179. A brief synopsis of the review:

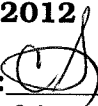
- Welz is not proposing to expand the structure.
- Rezoning this site to C-3 is needed to accommodate the proposed drive-up window. The Township has received an application for rezoning this site to C-3.
- The applicant has secured approval by MDOT.
- The building will have an improved façade.

Some concerns were:

- The location of the handicap parking and the radius to turn around. A recommendation would be to move it to the west side of the structure.
- S. Traxler gave recommendations using a colored coded portion of the drawing.
- Parking spaces are only 18' long.
- Lighting requirements are quite specific in the Gun Lake Overlay district. A photometric plan has not yet been provided for review by the Township.
- Signage would be approved separately.
- S. Traxler said that a motion for approval of PC for the site plan must be contingent upon the variance requested from the ZBA which will be decided at the September 11 meeting.

Motion by Purcell with support from Wells to approve the CSPR 12-07-04 of Herbert Welz subject to approval of the ZBA and with the consideration of the 27' variance for lot width under C-3 zoning for a drive-up window, turning radii and potential encroachment on the ADA-accessible parking space (following alternative recommendations of S. Traxler), confirmation (administratively) of lighting requirements of the overlay district, or required adjustment to meet the lighting requirements, future signage to be submitted to and approved by the Township and 20 foot parking spaces (not 18 foot). ROLL CALL: Strickland: yes, Purcell: yes, Schwennesen: yes, Wells: yes, Fiala: yes, and Beukema: yes, Cunningham: absent.

**Public Hearing – Welz
CSPR 12-07-04 Site
Plan Review**

<p>Yes: 6, No: 0, and Absent: 1. MOTION CARRIED.</p>	<p>FINAL MINUTES August 16, 2012 Page 4 of 5 APPROVED:  CSPR 12-07-04 cont.</p>
<p>ZBA Request to consider allowance for skewed roadside setback averages in RLF district.</p> <p>Memorandum regarding the ZBA request was distributed from Sarah Traxler of McKenna. Fiala referred to Bill Baughman's formula. Discussion regarding Baughman's formula. B. Baughman updated his formula and distributed the modified version to those in attendance.</p> <ul style="list-style-type: none"> • F. Fiala asked that the past six cases of setback requests be calculated as test models using Baughman's formula. • S. Traxler of McKenna referred to the bullet points on her memorandum and commented that the formula should be simpler to follow for the user and to put numbers in that might be closer. S. Traxler also mentioned that lot size and topography need consideration. • Beukema proposed using five houses or five properties instead of the current 300 feet in both directions as the standard. <p>Motion by C. Strickland with support from Fiala to table discussion/action on roadside setbacks of residential lakefront lots until next meeting when the results of the test models could be reviewed. All ayes. MOTION CARRIED.</p>	<p>Roadside Setbacks in RLF District</p>
<p>OLD BUSINESS:</p> <p>Accessory Buildings- G. Purcell distributed an email from Purcell to M. Cunningham detailing information Purcell obtained from Barry County Lumber. Currently, the maximum size for an accessory building is 1,280 sq. feet. A size of 32' x 48' (1,536 sq. ft.) was suggested by the men consulted at BC Lumber. Purcell suggested that the maximum size of an accessory building could be changed to 1,600 sq. feet in all zoning districts other than Rural Residential and Agricultural.</p> <p>At 9:10 p.m. Mike Cunningham joined the meeting. Also distributed with Purcell's email was a chart that Cunningham made citing square footage for various widths and lengths of accessory/out buildings and also citing square footage for 30% of lot coverage as examples of different dimensions (width x length) of lots. Cunningham's intent is to build a little bit larger to properly store stuff inside -instead of outside.</p> <p>Fiala would like a decision to be made at the September meeting regarding this matter either to leave it alone or to FINAL new language.</p> <p>Sarah Traxler commented that the design guidelines that were</p>	<p>OLD BUSINESS Accessory Buildings</p>

recently adopted give the PC the ability to deny a special exemption use proposal if the outbuilding has a negative impact on the surrounding neighborhood or adjacent properties i.e. "if it's too big."

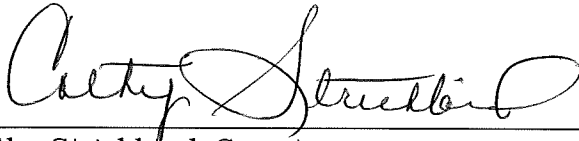
Discussion then occurred regarding ordinance language (or lack there of) referring to more than one accessory/outbuilding being allowed to be built. Also discussed were the usage of the terms and the interpretation of "lot" and "parcel".

S. Traxler also suggested granting the Zoning Administrator the authority to ask for building materials, colors, and elevations for all four sides, thereby making that information part of the application process. Traxler also said that there is an inconsistency in the ordinance regarding building an outbuilding without a principal structure and she advises to consider this if the PC is doing any future ordinance rewrites.

ADJOURNMENT

Motion to adjourn by F. Fiala at 9:33 p.m. Approved by all.
MOTION CARRIED.

Approved by:



Cathy Strickland, Secretary

9-20-2012

Date

Recording Secretary,
Deb Mousseau

8-21-2012