

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF DECEMBER 11, 2014**

**FENTON TOWNSHIP CIVIC COMMUNITY CENTER
12060 MANTAWAUKA DRIVE, FENTON, MICHIGAN**

Chairperson McGuirk called meeting to order at 7:00 pm

Present: Cypher, Franz, Hemeyer, McGuirk, Tucker, Warren
Zoning Administrator: Piggott
Recording Secretary: Ryan
Absent: Richard

APPROVAL OF AGENDA:

Motion to approve agenda as presented

Motion by: McGuirk

Seconded by: Franz

Ayes: Cypher, Franz, Hemeyer, McGuirk, Tucker, Warren

Nays: None

Absent: Richard

Motion carried the agenda stands as presented

PUBLIC HEARINGS:

R14-004 Skipper Properties, LLC 215 Northpoint Dr. Winthrop Harbor IL:

06-13-556-015

14016 Fenton Rd.

Requesting to rezone from R-3, Single Family Residential to C-2, General Business, property is located north of the newest building

Secretary Warren reviewed the file. Teri Wiene, representative for Skipper Buds was sworn in and stated their request for the property north of the newest building to be rezoned to C-2. There are currently boats and trailers stored there and there is a tree line surrounding the area. Wiene commented that the board has a survey from Delta, to view the location in question. Chairperson McGuirk stated that they may have more questions for Ms. Wiene after the public comment section of the meeting. Public comment was called for from chairperson McGuirk. Bryon Rhoads, of 13530 Fenton Rd., stated his concerns that if the property is rezoned to commercial, Skipper Buds could put anything there such as mechanical work or repairing of boats that could be a noise factor for he and his family being only two doors away. He would prefer that the request be turned down. Kelley Rhoads, Bryon's wife, also commented that they had repeatedly asked the manager of Skipper Buds to trim the bushes that were blocking their view when pulling straight out of their driveway and it never got taken care of, as an example of the kind of neighbors Skipper Buds has been. Doug Piggott Township Zoning Administrator explained the events that had taken place to bring this to a rezoning request. The property in question was being used to store boats and trailers which is not permitted on residential property, so the options for Skipper Buds was to request rezoning or move the boats. Piggott also stated that this is not a decision making event this evening, it is only a hearing to decide if a recommendation should be made by the Planning Commission, to grant this request. Tucker informed the Rhoads's that the 1st reading of this request will take place Monday night, 12/15/2014 at the Township Board meeting. He suggested that they attend this meeting to voice their disapproval. Tucker also asked for the Rhoads's preference as to inside or outdoor storage on this piece of property to which Rhoads replied he would rather have outdoor storage than another large building constructed to house the boats. Kelley Rhoads asked if there were any other options available that would restrict what the property could be used for while at the same time making the

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surrounding residents happy. Conditional rezoning was mentioned. Franz directed a question about storing boats on a property further south from Skipper Buds new building, at the boundary of Fenton City and the Township, to Ms. Wiene who stated that she is from the corporate office in Illinois and isn't familiar with this property but she would pass along the inquiry to the local manager. Franz also was concerned with Skipper Buds not following through with their previous agreement to keep the storage inside, when the large storage facility was constructed. Discussion followed on "Conditional Rezoning" and what it would entail if the applicant chose to amend their request. It was agreed upon by the applicant to draft a proposal in writing to amend the request to conditional rezoning and limit use to outdoor storage, to be presented to the Township Board on Monday the 15th. Warren directed a question to the applicant about whether there are plans to pave the property which is now ½ paved and ½ mud and also if there were any plans to fence or landscape the property to buffer it from the neighbors. Wiene said that they would prefer not to, however they would be open to consider it. Cypher voiced his concerns about Skipper Buds combining the parcels and if it was sold, would the zoning go with the sale. Piggott said the property would remain conditionally rezoned and if it were combined it could always be re-split in the future. He also said that because they are adding this number of parking spots the site plan for the marina would have to be amended if the rezoning is approved. Chairperson McGuirk asked for clarification as to whether we have received a formal request from applicant during this meeting verbally or if a request must come in writing to this body, to amend the request to conditional rezoning. Applicant Wiene restated the request to conditional rezoning for outside storage only. A drawing for the proposal would be required for the Township Board meeting, showing exclusion of north tree line and agreement that no racked storage be allowed only on the ground boats and trailers to be stored.

Motion to recommend approval as requested to amend request to a conditional rezoning from R-3 to C-2 with the following conditions:

- Uses shall be restricted to the storage of boats and boat trailers only.
- Boats shall be stored on the ground or on trailers. Boat storage racks shall not be permitted on this parcel.
- Existing trees on the lot must be preserved and boats may be stored up to the tree line in existence on this parcel as of December 1, 2014.
- Boats stored on this parcel as of the date of application for this rezoning may remain on the property. No additional boats may be moved onto the parcel until all zoning and site plan issues have been resolved and approved.

Motion by: Tucker

Seconded by: Franz

Ayes: Hemeyer, Cypher, McGuirk, Franz, Warren, Tucker

Nays: None

Absent: Richard

Motion carried.

NEW BUSINESS:

None

PUBLIC COMMENT CONCERNING ITEMS NOT ON THE AGENDA: 5 Minute Limit

None

MINUTES: November 13, 2014 Stand approved as submitted

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November 16, 2014 Stand approved as submitted

COMMUNICATIONS:

Zoning Administrator Piggott presented suggested ordinance amendments.

- 1.) Definition of Commercial Vehicle – Piggott suggested adding to the definition of Licensed Commercial Vehicles that there has to be specific wording on the truck. This is a requirement brought to his attention by Allen Lawrence, township engineer.
- 2.) Performance Bonds – Piggott explained there has been issues with performance guarantees either not being required by the planning commission at the time of site plan approval or performance guarantees expiring prior to improvements being made and developers wanting to pull building permits prior to completion of improvements. Piggott suggested an amendment to the ordinance to allow staff to require the performance guarantee.

ADJOURN: 8:00 p.m.

Jim McGuirk, Chairperson
Minutes Posted 12/16/14

Donna Warren, Secretary