

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF JULY 14, 2016**

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

Chairperson McGuirk called meeting to order at 7:00 p.m.

Present: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker, Warren

Recording Secretary: McDonald

Absent: None

APPROVAL OF AGENDA:

Motion to approve the agenda as printed

Motion by: McGuirk

Seconded by: Warren

Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker, Warren

Nays: None

Absent: None

Motion carried

PUBLIC HEARINGS:

R16-003 Charles Chapple, 16209 Silvercrest, Fenton:

06-03-200-014

11220 Torrey

Rezone from R-3 to M-2

Secretary Warren reviewed the file. Charles Chapple was sworn in. He explained his request to rezone the property to bring the business he has operated there in compliance with the Townships zoning requirements. He explained that years ago when he started his business he had an office in his home and rented space where he parked his vehicles. The rented space was on a long stretch of dirt road and the trucks were getting beat up just by the travel to from the space. He said as the business grew he purchased this parcel located on Torrey near the corner of Thompson with easy paved access to the expressway and other sites in the area. He noted that his electrical business serves light to medium duty applications and some residential. Tucker asked if employees come to the site to pick up their trucks. Chapple said yes they do, they do not take the trucks or supplies home. Chairperson McGuirk called for public comments. There were none. Marko asked if there was still a resident living at this parcel. Chapple replied there has been no one living there for the past year and a half. Tucker stated concerns about the issue of the Thompson Road Corridor plan and this zoning not being consistent with that plan. He acknowledged the plan may not be viable any longer considering what is being built within a PUD zoning district that never developed until now. His other concerns was the range of uses allowed in the M-2 zoning district. He said there is some comfort in knowing that it is a small parcel and many of the allowed uses would require more land than is available here. Chapple stated he would have no problem with a conditional M-2 zoning to limit the use to a contractors establishment with outdoor storage. The Commission tabled this discussion to allow Chapple to decide what he would like to do.

Tabled

R16-004 Steve Steffey, Grand Hill Assoc. 13453 Lakeshore, Fenton:

06-04-200-017

vacant land Vantage Pt. north of 4150 Thompson

Rezone R-2 to R-3

Secretary Warren reviewed the file. Steve Steffey was sworn in. He explained that he owned a vacant parcel in Vantage Pointe development. The back portion of this parcel

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has an easement on it to provide access to the water for the owner of the parcel at 4150 Thompson Rd. Steffey said he would like to sell the portion of the parcel that is the easement to the owner at 4150 Thompson when he approached the Township to divide this portion off and combine it with the parcel at 4150 Thompson he was told the Township has a policy that prohibits parcels from having more than one zoning classification. Steffey said his parcel is zoned R-2 and the property at 4150 Thompson is zoned R-3. Chairperson McGuirk called for public comments. Howard Fredenburg, 4162 Thompson stated concerns about filling and water run off and destruction of wetlands. Steffey said they did not fill wetlands or cause water problems in the area. Tucker explained the wetlands are most likely regulated by the DEQ.

Motion to recommend approval as requested

Motion by: Marko

Seconded by: Warren

Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker, Warren

Nays: None

Absent: None

Motion carried

R16-005 Michael Krause, 14083 Hogan, Linden:

06-19-100-034 & 06-19-100-021

14083 Hogan

Rezone from R-3 to R-1

Secretary Warren reviewed the file. Michael Krause explained his request to rezone to R-1 to combine his 10 acre parcel with the acre his house is built on. He said he wants to be able to raise chickens and plant crops. He said he felt this place in the country is suitable for this and combining the property will make his land more valuable in the future. Chairperson McGuirk called for public comment. Russell and Theresa Tithof, 14097 Hogan said they have lived next door to Krause for 13 years they objected to the rezoning because it is not consistent with other zoning in the area. They noted the chickens are a problem as they are allowed to free range and are often in their yard. They claimed that rezoning these parcels would be spot zoning and that chickens can cause health problems. Rod Allen, 14037 stated he did not have concerns about rezoning to R-1. Tucker explained that Krause will still have to apply for and be granted a special use permit to have the chickens. April O'Connell, 8284 Peninsular Dr. supported the request she noted there is a lot of farm operations in this area. She indicated she is active in the Four H program and chickens do not pose health threats. Secretary Warren read an email from Mark Freeman, 14007 Hogan who stated concerns about chickens on the 10 acre parcel or being housed next to residential properties. Tucker quoted the Future Land Use plan for the area as rural stating the intent of this classification is to preserve the rural character of portions of the Township and permit the continuation of farm operation in these areas. Tucker noted the key word is continuation of farming. This request would be expanding this property to allow, by special use permit, chickens. This would be expanding this agricultural use and his recollection of the intent of the classification in the land use plan is to allow existing farm operations to continue. He said he did not feel this would be consistent with the intent of the Future Land Use plan. The Commission discussed the plan and the fact that trends are starting to turn back to farming, raising chickens and growing ones own food. They struggled with the request because though it is just a rezoning the fact that Krause wants to keep chickens still has to be considered. Richard stated he has a problem with the chickens not being kept

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within the boundaries of Krause's property. Tucker asked how much of the 10 acre parcel is upland. Krause said about half of the property is upland.

Motion to recommend denial based on the interpretation that the intent of the Future Land Use plan is to allow for the continuation of farm operation but not create new farm parcels.

Motion by: Tucker
Seconded by: Marko
Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker, Warren
Nays: None
Absent: None

Motion carried

R16-003 Charles Chapple, 16209 Silvercrest, Fenton:

06-03-200-014

11220 Torrey

Rezone from R-3 to M-2

Charles Chapple was brought back to the table and offered the following conditions be placed on his rezoning to M-2:

- The use is limited to a contractors establishment with limited outdoor storage
- Trucks/vans parked on site will be limited to 6-10 vehicles
- The building will contain an office
- Any materials stored outside will be screened from public view
- Hours of operation will be normal business hours generally between 7:00 am and 5:00 pm Monday through Friday with occasional weekends

Motion to recommend approval of rezoning parcel 06-03-200-014 to M-2 with the following conditions:

- The use is limited to a contractors establishment with limited outdoor storage
- Trucks/vans parked on site will be limited to 6-10 vehicles
- The building will contain an office
- Any materials stored outside will be screened from public view
- Hours of operation will be normal business hours generally between 7:00 am and 5:00 pm Monday through Friday with occasional weekends

Motion by: Tucker
Seconded by: Marko
Ayes: Cypher, Hemeyer, Marko, McGuirk, Richard, Tucker, Warren
Nays: None
Absent: None

Motion carried

MINUTES: June 9, 2016 stand approved as submitted

ADJOURN: 8:37 pm.

Jim McGuirk, Chairperson
Minutes Posted 07/18/16

Donna Warren, Secretary