

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF OCTOBER 13, 2016**

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

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

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

Recording Secretary: McDonald

Absent: Hemeyer

APPROVAL OF AGENDA:

Motion to approve the agenda as printed

Motion by: McGuirk

Seconded by: Warren

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

Nays: None

Absent: Hemeyer

Motion carried

PUBLIC HEARINGS:

R16-005 Michael Krause, 14083 Hogan, Linden:

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

14083 Hogan Road

Requesting to rezone from R-3, Single Family Residential to R-1, Single Family Residential

Secretary Warren reviewed the file. Michael Krause was sworn in and explained his request to rezone so he could apply for a special use permit to be able to keep chickens. He said that when the Township Board held the second reading and voted on the rezoning in August it was a 3/3 vote because the Supervisor was not at the meeting. He explained he was not given the opportunity to postpone the vote for a full board and has reapplied to be able to present his case in front of a full board. He showed pictures of the rural area and other farms in the area. Chairperson McGuirk called for public comments. Russ Tithof, 14097 Hogan stated he has lived next door to this property for 14 years he stated his objections to the rezoning saying the closest other R-1 zoning is 2 miles away. He showed pictures of other homes in the area to demonstrate the R-3 character of the neighborhood. He noted that he does not want to see or hear chickens and roosters. He also claimed that Krause is not maintaining his property. He said the property in questions is mostly wetlands and it is not a farm. Theresa Tithof, 14097 Hogan stated rezoning to R-1 is not in keeping with the future land use plan as the plan is to phase out agricultural uses. Krause stated there are other farms in the area and other farm animals including sheep and chickens. Tucker noted that conditions have not changed since the application was first made in July and asked what prompted Krause to reapply. Krause stated he wanted to present his case to a full board. Tucker asked who told him to file another application. Krause said it was a private attorney. Tucker asked if he had paid the fee. Krause said the fee was waived. Discussion regarding urban farming and pending legislation took place amongst the members of the Commission and Tucker explained the Townships authority over urban livestock could be limited under 2 newly introduced bills. Townships and other local units of government would be prohibited from adopting ordinances regulating the raising of suburban/urban livestock unless the zoning ordinance provisions are consistent with guidelines set by a commission's guidelines if these bills pass. He also stated concerns about this being spot zoning. Marko noted that most of the property in the area is zoned R-2 and R-3. Tucker said that when considering rezoning he looks to the future land use plan to determine if the request is consistent with the plan and in this case he does not feel the request is consistent with the plan. Tucker suggested the matter be postponed until a decision about suburban/urban is made by the legislature.

Motion to postpone until further notice

**CHARTER TOWNSHIP OF FENTON PLANNING COMMISSION
MINUTES FOR REGULAR MEETING OF OCTOBER 13, 2016**

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

Motion carried

POSTPONED

R16-006 Jeramy & Randi Goss, 16142 Valcrest, Linden:

06-04-200-001 part of 4221 Ray Rd.

Requesting to rezone from AG, Agriculture to R-3, Single Family Residential
Secretary Warren reviewed the file. Jeramy Goss was sworn in. He explained his request to rezone a 100 X 454 ft. portion of this 15 acre parcel to be able to divide off the existing house and 1.5 acres. Chairperson McGuirk called for public comments. There were none. Tucker stated when comparing the request with the future land plan he found this request to be consistent with the plan. The Commission agreed.

Motion to recommend approval as requested

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

Motion carried

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

Michael Casler, Lake Fenton Sailing Club Commodore, 2301 stated he was looking for confirmation of the special meeting for Corlin Builders to consider amendments to the PUD granted for the old Lang's Marina located at 2294 and 2300 Sonora. The Commission confirmed a special meeting will take place on October 18, 2016 at 6:30 pm.

MINUTES: September 8, 2016 stand approved as written

ADJOURN: 8:12 pm.

Jim McGuirk, Chairperson
Minutes Posted 10/18/16

Donna Warren, Secretary