

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800 FAX: 810-659-4212

MINUTES OF THE PLANNING COMMISSION MEETING

DATE: JANUARY 11, 2016

TIME: 7:00 P.M.

WEB ADDRESS: <http://flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Chair: Jerome Doyle

Donn Hinds

Vice Chair: Robert Gensheimer

William Mills

Secretary: Ronald Flowers

Mark Newman

Board of Trustee Representative: Shirley D. Gage

Recording Secretary: Julia A. Morford

PRESENT: Jerome Doyle, Robert Gensheimer, Ronald Flowers, Mark Newman, Donn Hinds, William Mills, and Shirley Gage

ABSENT: None

OTHERS PRESENT: Sixteen (16) other individuals

I. MEETING CALLED TO ORDER at 7:00 p.m. by Planning Commission Chair **JEROME DOYLE** with Roll Call and the Pledge to the American Flag.

II. ADOPTION OF AGENDA: FLOWERS MOVED, seconded by Newman, to approve the Agenda as presented. **MOTION CARRIED.**

III. APPROVAL OF PREVIOUS MINUTES:

1. NOVEMBER 9, 2015: The approval of the **NOVEMBER 9, 2015 MINUTES** will be discussed later in the meeting.

2. DECEMBER 14, 2015: GENSHEIMER MOVED, seconded by Flowers, to approve the Minutes of December 14, 2015 as written. **MOTION CARRIED.**

IV. UNFINISHED BUSINESS:

None

V. NEW BUSINESS:

1. Vern Martin, 552 N. McKinley Road, Flushing MI 48433

Formal Hearing for the purpose of obtaining a Special Use Permit to place an accessory structure on a lot without a principal building, pursuant to *Article IV, Site Regulations, Section 20-400(c), Accessory Structures and Article XVIII, Special Use Permits, Requirements for Permitted Special Uses, Section 20-1804(A)(2)*, located at 5270 McKinley Road, Flushing MI 48433, Parcel Number 08-23-100-069

Mr. Vern Martin (Mr. Martin) was present to request a Special Use Permit to place an accessory structure on his property which consists of eight (8) acres located at 5270 McKinley Road, Flushing Michigan. The accessory structure will be used to store machinery and lumber.

COMMENTS FROM MR. MARTIN:

- * the accessory structure will be used for storing lumber and machinery.
- * Mr. Martin will be planting two hundred (200) pine trees; he previously had planted two thousand (2,000) pine trees.
- * the accessory structure will be located half way back to the East and on the South side of his property.
- * the proposed house will be located to the North and three hundred (300) feet West of the accessory structure toward McKinley Road.
- * the soil is sand and very deep in the area.

7:09 P.M. THE AGENDA WAS CHANGED TO ALLOW MR. MARTIN TO REVISIT HIS SITE PLAN.

2. Michigan DPW L.L.C., 9205 N. Island Drive, Flushing MI 48433

Formal Hearing for the purpose of obtaining a Special Use Permit to place an addition on an existing accessory structure on a lot without a principal building, known as “Parcel A” – vacant land, Ruby Drive, Flushing MI 48433, Parcel Number 08-16-200-056, pursuant to *Article IV, Site Regulations, Section 20-400 (c), Accessory Structures and Article XVIII, Special Use Permits, Requirements for Permitted Special Uses, Section 20-1804 (A)(2)*.

Mr. Don Schwieman (Mr. Schwieman), Representative for Michigan DPW L.L.C., was present to request a Special Use Permit to place an addition on the back of an existing accessory structure on a lot without a principal building. Mr. Schwieman and his wife purchased the farm, which consists of thirteen (13) acres, as an investment and will put his farm implements in the accessory structure.

SPECIFICATIONS:

- The proposed addition will be 32’ X 36’.
- Mr. Schwieman has a commercial business with two (2) working crews.
- Mr. Schwieman’s farm equipment includes four (4) plows, one (1) dump truck, and tractor that he currently stores at Clayton and Fenton Townships.
 - a. the dump truck and trailer is two (2) years old.
 - b. there is a mower that is four (4) years old and has a 14 inch cut width.
 - c. the tractor is a two (2) wheel drive, Model F and is four (4) years old – used for loading salt.
- Nothing will be changed as to the property.
- Mr. Schwieman would like to place a house on the property but due to requirements that limit the number of homes on the road, he will not be able to do so. Currently, there are five (5) homes on the road. Each house has a reciprocal easement that is filed with Genesee County.

- There are two (2) drives that lead to the property in question: one (1) drive comes off Stanley Road and one (1) drive off Turner Road.
- The accessory structure will only be used for farm issues; no Commercial uses.
- Eighty-eight (88) tons of gravel was placed on Ruby Drive last July.

CORRESPONDENCE:

1. Mr. Ronald Lynden – “previously owned the property that Mr. Schwieman now owns; required to do things to his property that cost him \$15,000.

7:36 P.M. – OPEN FOR AUDIENCE PARTICIPATION:

1. “the original accessory structure was approved so a house could be placed in front of the accessory structure which would place the house in front of the structure.”
2. “does the “Farm Act” apply to Mr. Schwieman?”
3. “the easement has to be sixty-six (66) feet wide; Mr. Schwieman has the sixty-six (66) feet.”
4. “there is an easement coming off Stanley Road from the North.”

7:50 P.M. – CLOSED FOR AUDIENCE PARTICIPATION.

QUESTIONS/COMMENTS FROM THE PLANNING COMMISSION:

1. “The equipment can only be used for the “Purpose of Farming”.
2. “Can’t run a commercial business out of the accessory structure.”
3. “If commercial items are stored in the accessory structure, it becomes a violation of the ordinances.”
4. “If Mr. Schwieman qualifies under the “Farm Act” the Planning Commission’s action is not needed.”

DOYLE MOVED, seconded by Gensheimer, that because of the fact the issue is a “Farm”, it is not necessary to request to build an addition to an existing building.

ACTION OF THE MOTION:

ROLL CALL

AYES: Doyle, Gensheimer, Hinds, Gage, Newman, Mills, and Flowers

NAYES: 0

MOTION CARRIED.

8:00 P.M. – REVERTED BACK TO MR. VERN MARTIN AND HIS REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT AN ACCESSORY STRUCTURE.

ACCESSORY STRUCTURE SPECIFICATIONS:

- 48’ X 96’ in size.
- steel sides and roof.
- roof pitch of 5/12.
- the side walls of the structure will be ten (10) feet.
- two (2) foot overhang.

- the accessory structure will be barn style.
- there are two (2) – 16’ doors; they will slide apart from the center.
- there is a steel entry door on the North side of the structure.
- there are no windows in the structure.

PROPERTY SPECIFICATIONS:

- there is 1,047 feet from the front of the property to the back property line.
- there is 300 feet from the front of the property to the proposed home.
- 450’ from the accessory structure to the West.
- 450’ from the accessory structure to the East.
- There are trees on the North side which is adjacent to Wesley Drive and the South side which is adjacent to Apple Blossom; Apple Blossom backs up to Mr. Martin’s property.
- The feelings and thoughts of the neighbors have to be considered.
- The brush on the property will be cut but not the trees; there are a lot of grape vines in the back of the property.

RECOMMENDATION OF PLANNING COMMISSION:

It was recommended to postpone the request of Mr. Martin until February or March until there was a complete site plan for the review of the Planning Commission.

8:14 P.M. – OPEN TO AUDIENCE:

- “what about the pond?”
- “will the accessory structure be used for storage?”
- “will the equipment be considered “Commercial?”

Mr. Martin stated the purpose of the accessory structure was to store lumber where he planned to build a house. Mr. Martin and his wife have recently adopted five (5) children and they want the property to be “home” to his family.

DOYLE MOVED, seconded by Newman, to set aside until the February Planning Commission Meeting and give Mr. Martin the opportunity to complete the Site Plan in order that the Planning Commission can made a decision on the request. The issue will be listed on the February Agenda under “Unfinished Business.” **MOTION CARRIED.**

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APPROVAL OF MINUTES FROM NOVEMBER 9, 2015:

NOVEMBER 9, 2015: HINDS MOVED, seconded by Newman, to approved the Minutes of November 9, 2015 as amended. **MOTION CARRIED.**

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3. Election of Officers for 2016

NEWMAN MOVED, seconded by Hinds, to keep the current officers as presented.

DISCUSSION: Gensheimer has a problem making the Monday meeting due to his work schedule.

HINDS MOVED, seconded by Gensheimer, to have Jerome Doyle as the Chair, Mark Newman as the Vice Chair, and Ron Flowers as the Secretary. **MOTION CARRIED.**

PUBLIC COMMENTS:

8:35 P.M. – OPEN FOR PUBLIC COMMENTS

One (1) individual gave a comment.

8:40 P.M. - CLOSED FOR PUBLIC COMMENTS

VII. BOARD COMMENTS:

1. Discussed the “Site Regulations” regarding accessory structures: 12 x 12 structure equals 144 square feet – should be made so the ordinance book is amicable with the State.
2. Discussed letter “b” “Site Regulations” regarding Detached Accessory Structures.
3. The issue of the “Site Regulations” will be placed on the March 2016 Planning Commission Agenda for further discussion due to two (2) issues already being on the February 2016 Agenda..

VIII. MEETING SCHEDULE: NEXT REGULARLY SCHEDULED MEETING WILL BE MONDAY, FEBRUARY 8, 2016 AT 7:00 P.M.

IX. ADJOURNMENT: CHAIR DOYLE adjourned the meeting at 8:53 p.m.

JEROME DOYLE, Chair

JULIA A. MORFORD, Recording Secretary

RONALD FLOWERS, Secretary

Date of Approval