

CHARTER TOWNSHIP OF FLUSHING

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PLANNING COMMISSION MEETING MINUTES

DATE: JULY 12, 2010

TIME: 7:00 P.M.

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

MEMBERS OF PLANNING COMMISSION

Mark J. Newman, Chair

Jerome Doyle, Vice Chair

Richard Buell, Secretary

Mark Purkey, Board of Trustee Representative

John Cuddeback

Ronald Flowers

Julia A. Morford, Recording Secretary

PRESENT: Mark J. Newman, Jerome Doyle, Richard Buell, Ronald Flowers, John Cuddeback, and Mark Purkey

ABSENT: None

OTHERS PRESENT: Five (5) other individuals

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

II. ADOPTION OF AGENDA: FLOWERS MOVED, seconded by Buell to approve the Agenda by switching Number IV, "Unfinished Business" and Number V, "New Business" in order that "New Business" may be taken care of first. **MOTION CARRIED.**

III. APPROVAL OF MINUTES: No Minutes were available.

IV. NEW BUSINESS:

1. Norman Goddard, 10486 Stanley Road, Flushing, MI 48433

Formal Hearing regarding a Special Use Permit for an Accessory Structure in the Front Yard at 10486 Stanley Road, Flushing, MI, 48433, Parcel No. 08-09-300-011).

NEWMAN stated Mr. Goddard has supplied to the Planning Commission with a completed Zoning Permit Application, drawing of the site showing septic field and reserved field, garage and the proposed garage, and on June 28, 2010, seventeen (17) Notices had been sent out to surrounding neighbors and utility companies noticing the current meeting.

Mr. Goddard needed the accessory structure for storage of family storage.

COMMENTS REGARDING THE PROPOSED ACCESSORY STRUCTURE MENTS:

- Inland Engineering, Flushing MI, did the site plan
- Nothing will be added to make the house look bad
- Mr. Goddard will be doing the construction which would be stick built
- The property consists of five (5) acres with plenty of room for a reserve septic tank
- Currently, a concrete slab, with footings, is on the proposed site
- The proposed accessory structure will be 14' x 24'
- The family house consists of 1,700 square feet
- There is nineteen and one-half (19 ½) feet from the barn on the west side
- The western side of the property has a lot of pine trees and brush
- There are no creeks, drainage ditches, or train tracks to the west of the proposed accessory structure
- There is more than ten (10) feet from the property line on the west
- The distance from the front of the garage to the back of the building will be thirty-one (31) feet
- The building will be the same siding to match the house.
- City water comes onto the property on the east side of the property.
- The minimum set back for a house is twenty-five (25) feet
- There are four (4) houses on the east side of the proposed property that are set back the same distance; there are no other buildings in front of the neighbors property
- The house has a two hundred eighty (280) foot setback from the right of way
- There is vacant property on the west that extends to Nichols Road
- The water table is thirty-two (32) inches
- There will be no animals in the structure; strictly for storage
- There will be no plumbing in the structure

NEWMAN stated per the requirements of the special use permit, there are certain items that have to be reviewed.

OPEN TO THE AUDIENCE FOR COMMENTS AT 7:16 P.M.

1. Dan Idalski, 10470 Stanley Road, Flushing – “lives next door and supports the building of the assessor structure; no problem with building the structure.”

CLOSED TO THE AUDIENCE FOR COMMENTS AT 7:20 P.M.

No letters were received from the neighbors regarding the proposed accessory structure.

DOYLE MOVED, seconded by Purkey to approve the special use permit as submitted with the additional supporting documentation. (A building permit will be needed).

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Doyle, Buell, Flowers, Cuddeback, Purkey, and Newman

NAYS: 0 MOTION CARRIED.

V. UNFINISHED BUSINESS:

1. Continued Review of Accessory Structures in Front Yard

There was discussion if anyone would be interested in the “new proposed language of the ordinance”. There seemed to be two (2) issues involved was limit sq feet with relationship to house and allow people to pull permit to build an accessory on vacant property.

NEWMAN will put the information together and bring back to the P C. It was asked if there would have been a problem if an individual wanted to put the accessory structure seventy-five (75) foot off the road instead of two hundred (200) foot.

DOYLE stated it could but it would depend on the circumstances as there could be a view problem with the neighbors. It could lower the value of the neighbor’s property. **NEWMAN** stated sometimes the issues are not a popularity contest as everyone has their rights; the ordinances have to be abided by. No two (2) situations are the same.

BUELL felt the scale drawing for Mr. Goddard was super because it was much easier to understand.

DOYLE felt site plan drawings should be a requirement as it would be a clean cut drawing and would show all the details of the property. Some people have taken topography shots of the area to get a better view of the property. **PURKEY** felt that when there was a site plan drawing, the Planning Commission would know everything was in line.

BUELL wanted to know if the code was silent when someone “put the cart before the horse?” It would not be a bad practice for the cost of the project to be doubled. The Planning Commission had never been discussed regarding placing a house behind a pole barn. In snow countries, people put the accessory structures by the road so they don’t have to shovel to get out of the driveway.

There was discussion regarding houses that look like a one story, but actually is a two, three, or even four story house. An example of this situation would be a house on a golf course, river, or with a drive-in garage below the house.

CUDDEBACK made reference to *Article III, General Provisions, Section 20-300 Building Permits* regarding the issuance of building permits.

FLOWERS felt that something needed to be put in the ordinance regarding the construction of accessory structures on vacant property if he has for example five (5) acres and wanted to build a house on the property later.

PURKEY felt that when an accessory structure was built on vacant property, there should be room for emergency vehicles to get around the structure.

CUDDEBACK wanted to know what happened in 1989 because the laws changed. It was mentioned by **DOYLE** and **FLOWERS** that work began on the Master Plan where laws changed; a new ordinance was put into effect. **NEWMAN** stated it was called pre-existing non-conforming laws.

NEWMAN mentioned there were some rulings that the township couldn't do that much about with the zoning such as day care facilities, fencing, etc.

BUELL wanted to know how the Health, Safety, and Welfare pertained to the Planning Commission? **DOYLE** stated the setbacks pertained to the safety, which would protect the property rights of the residents. **DOYLE** mentioned that as a farm, there were all types of ways the farm could be developed and there didn't necessarily have to be a drive-way on the property. **DOYLE** preferred set backs instead of square footage for a structure.

NEWMAN stated items that could be included in a draft would be:

- a. Professional site plan drawing
- b. Aesthetics of structures
- c. Photographs
- d. Consistent with neighborhood

PURKEY felt a list should be determined by the Planning Commission as to what an individual had to do to provide in order to obtain a special use permit so when they came to the Planning Commission, the individual would already know in advance of what was required. This procedure would not waste the resident's time and both the Planning Commission and the resident would know what to expect.

The issue will be placed on the next Agenda.

2. Continued Discussion Regarding Medical Marijuana Law

Waiting for further documentation on the subject. The issue will be placed on the next Agenda.

VI. PUBLIC COMMENTS:

7:57 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS

None

7:58 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS

VII. BOARD COMMENTS:

1. **PURKEY** gave the Planning Commission Members a copy of the Police Chief's presentation at the last Board of Trustees Meeting.

2. **DOYLE** received a brochure of a seminar presented by the University of Michigan's Outreach on different fabrications in science. There is another seminar to be held in Frankenmuth on July 21, 2010 sponsored by Michigan Townships Association. **DOYLE** will be attending the Frankenmuth Seminar.
3. **CUDDEBACK** will also be attending the MTA Frankenmuth Seminar on July 21, 2010. Recently read an article on property values and it stated it would take a long time to recuperate our revenues back.
4. **FLOWERS** will be having surgery but hopefully will be attending the September 2010 Planning Commission Meeting.
5. **NEWMAN** would like to fill the vacant position left by Eric Swanson as soon as possible as there could be the possibility of not having a quorum.

VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, AUGUST 9, 2010 AT 7:00 P.M.

FUTURE REGULAR SCHEDULED MEETING DATES:

REGULAR SCHEDULED MEETING – MONDAY, SEPTEMBER 13, 2010 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, OCTOBER 4, 2010 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, NOVEMBER 8, 2010 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, DECEMBER 13, 2010 AT 7:00 P.M.

IX. ADJOURNMENT: Due to lack of business matters, **NEWMAN** adjourned the meeting at 8:05 p.m.

MARK J. NEWMAN, Chair

JULIA A. MORFORD, Recording Secretary

RICHARD BUELL, Secretary

Date of Approval

Planning minutes 07/12/2010