

SUMMIT TOWNSHIP PLANNING COMMISSION

February 18, 2014

MEMBERS PRESENT: Raymond McQuillan, Chairman; Robert Simmons, Vice Chairman; Jack Shelby, Secretary and Zoning Board of Appeals Liaison; Todd Emmons, Township Board Liaison; Natalie Stopyak, Richard Erhardt; George Gancsos Jr., Stephen Artz; Allan Hooper; John Worden, Summit Township Zoning Administrator

MEMBERS ABSENT: None

The meeting was called to order by Raymond McQuillan, Chairman, on Tuesday, February 18, 2014 at 7:00 p.m. in the Township Hall meeting room at 2121 Ferguson Road.

G. Gancsos Jr. noted a correction to the Tuesday, November 19, 2013 minutes; Page three (3) forty four (44) square feet should be forty four (44) feet.

A motion was made by R. Erhardt, supported by G. Gancsos Jr., to approve the Tuesday, November 19, 2013 minutes as corrected. The motion carried unanimously.

The election of Officers for 2014 was conducted: Chairman, Vice Chairman, Secretary and Liaison Zoning Board of Appeals.

A motion was made by R. Erhardt, supported by A. Hooper, to retain Ray McQuillan as Chairman, Robert Simmons as Vice Chairman, Jack Shelby as Secretary and Natalie Stopyak as Liaison Zoning Board of Appeals. The motion carried unanimously.

Case#13-11-0020- Conditional Use Permit- Used Car Sales and Detailing – 2401 Francis Street – Zoned Local Commercial (C-1) – Justin Mitchell and Robert Sutherby Applicants – Justin Mitchell Owner – This request was tabled at the November 19, 2013 meeting

A public hearing was held on the request of applicant, Robert Sutherby, and property owner Justin Mitchell, of 3787 Ann Arbor Road. The applicant is requesting a conditional use on the property located at 2401 Francis Street (Parcel ID# 000-13-11-309-039-00) and the vacant lot south of 2401 Francis Street to allow the sale of used vehicles and the detailing of vehicles.

The Townships' zoning ordinance does contain a car lot as a permitted or conditional use for properties zoned Local Commercial (C-1). Due to the location of the property, and with no properties zoned General Commercial District (C-2) or Highway Commercial (C-3) in the surrounding area, it is inadvisable to rezone the property to a commercial district that would allow a used car lot as a permitted or conditional use.

Robert Sutherby, Applicant, apologized for the delay but Elwood St. John has been ill which has slowed down the process to obtain the parcel. It is the applicants' intent to purchase the property to the north and the south then combine them into one parcel.

Raymond McQuillan, Chairman, asked if the applicant is able to obtain the three (3) feet parcel that separates the St. Johns parcel from the applicants

Robert Sutherby, Applicant, responded yes, but, because of Elwood St. John's health, the selling process has stopped progressing. The applicant has an agreed upon price. The seller has agreed to sell at that price and the applicant is ready to make the purchase and a contract has been made.

A. Hooper inquired on the frontage of the parcel

Robert Sutherby, Applicant, responded sixty six (66) feet by three hundred eight (308) feet deep for both parcels.

Raymond McQuillan, Chairman, asked the frontage if the north and south parcels were purchased by the applicant.

Robert Sutherby, Applicant, responded close to two (2) acres of frontage

A motion was made by R. Simmons, supported by T. Emmons, to recommend to the Township Board approval of the Conditional Use Permit request for a Used Car Sales and Detailing at 2401 Francis Street provided the applicant can supply the deed to the properties to the south of 2401 Francis Street. The motion was carried unanimously.

Case#14-02-0002 – Rezoning from Agriculture (AG-1) to General Commercial (C-2) – 3700 Spring Arbor Road – Sales and Equipment Storage for Insulation – Art Bruemmer Applicant

A public hearing was held on the request of applicant Art Bruemmer, of 1052 South Brown Street. The applicant is requesting the rezoning of 3700 Spring Arbor Road from Agriculture (AG-1) to General Commercial (C-2). He is planning to use the property for Business Sales and Equipment for an Insulation Business.

At the June 21, 2005 Planning Commission meeting, the applicant requested the townships' first contract zoning, requesting a site specific rezoning under the new Michigan statute known as PA 577 of 2004 for a self-storage and office development. The applicants' request was approved by the township board with the following stipulations: in reference to Paragraph 7, it is recommending two (2) years from approval of the proposed contract and rezoning be allowed for submission of a site plan, and all phases of the project to be completed within five (5) years or the property would return to its original zoning.

The zoning reverted back to its original zoning of Agriculture (AG-1) when the applicant was unable to fulfil the conditions of the contract. Afterwards, the applicant constructed a building on the property to be used for agricultural purposes (tree farm). The building for the tree farm did not require any permits, later the building use changed to the insulation business.

The Township served the applicant a cease and desist letter on June 24, 2013. The letter stated that the applicant was to discontinue use of the building until he applied for a zoning that was more suited to his business. In addition, the building was subject to the "Michigan Building Code".

G. Gancsos Jr., inquired if an inspection had been performed.

Art Bruemmer, applicant, responded that the required inspections on the building have been performed and the building department has approved the building.

R. Simmons, inquired about a site plan and parking.

Art Bruemmer, applicant, responded the site will not impact the Methodist church to the east and the property is next to a significant wetlands.

A motion was made by R. Simmons, supported by G. Gancsos Jr, to recommend to the Township Board approval of the rezoning of 3700 Spring Arbor Road from Agriculture (AG-1) to General Commercial (C-2). The motion was carried unanimously.

Case #14-02-0003-Rezoning from Office (O-1) to Planned Residential (PR-1) 2.88 acres on Robinson Road north of Terrace Hills Dr. – Construction of Four (4) Duplex Units – Jack Shelby/Applicant-John Ganton/Owner

Jack Shelby recused himself from voting and presented a letter from owner John Ganton granting authority to present the application.

A public hearing was held on the request of applicant Jack Shelby, of 1730 Probert Road and owner John Ganton of 2140 Robinson Road. The applicant is requesting the rezoning of 2.88 acres on Robinson Road north of Terrace Hills Drive from Office (O-1) to Planned Residential (PR-1). This parcel will be contiguous with an existing Planned Residential (PR-1) district but would remain under separate ownership. The owner is planning to construct four (4) duplex living units, maintaining a residential feel in the contiguous property. The units will be accessible from Robinson Road only and rental available for person(s) fifty (50) and over.

Raymond McQuillan, Chairman, asked if the property fulfilled the acreage requirement for Planned Residential (PR-1) zoning.

R. Simmons questioned if a property can be zoned Planned Residential (PR-1) if it is contiguous with another Planned Residential (PR-1).

Applicant responded that the zoning requested is Planned Residential (PR-1), and should be considered as a contiguous Planned Residential (PR-1) with the neighboring Terrace Hills property.

Public Comment:

Barb Town, of 2915 Country Lane, lives in units to the west of the proposed planned duplex units. She questioned if the new units would be for sale or for rent.

Applicant responded the units would be for rent.

Barb Town questioned how much buffer would be between the new units and the units to the west.

Applicant responded there is a total of thirty (30) feet between the units; fifteen (15) feet to the unit line and fifteen (15) feet to the unit structure. Additionally, he added there is eighty (80) feet to Barb Town's unit.

Barb Town asked about a buffer and neighboring trees.

Applicant responded that the trees on the Terrace Hills side will remain, landscaping would be installed but no buffer zone would be created. Those details will be covered in the site plan. Applicant will contact Barb Town and inform her when the site plan review will be held.

A motion was made by S. Artz, supported by R. Simmons, to recommend to the Township Board approval of the rezoning of 2.88 acres on Robinson Road north of Terrace Hills Drive from Office (O-1) to Planned Residential (PR-1). The motion carried passed. Jack Shelby abstained.

A motion was made by S. Artz, supported by T. Emmons, to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 7:48 p.m.

Respectfully submitted,

Jack Shelby, Secretary
Summit Township Planning Commission