

Leroy Township Planning Commission Meeting Agenda

**January 8, 2020
6:00 pm**

The Leroy Township Planning Commission welcomes Public Comments. Anyone wishing to address the Planning Commission should only do so once recognized by the Chairperson. Comments shall be limited to three (3) minutes.

A. Call to Order

B. Roll Call

C. Election of Officers for 2020:

1. Chairperson
2. Vice-Chair
3. Secretary

D. Approval of Meeting Minutes:

1. December 4, 2019- **ACTION ITEM/VOICE VOTE**

E. Public Comments

F. Discussion Items:

1. Leroy Township Master Plan & Land Use Map
2. Proposed Leroy Township 5 Year Parks & Rec Plan **(to be provided at the meeting)**
- 3.

G. Board Member Questions and/or Comments

H. Announcements by the Chairperson

I. Adjournment

**Next scheduled Planning Commission Meeting
March 4, 2020**

LEROY TOWNSHIP
8156 4 Mile Road
East Leroy, Michigan 49051

PLANNING COMMISSION MEETING MINUTES
December 4, 2019

CALL TO ORDER-

The meeting was called to order by Chairperson Pete VanVranken at 6:07pm

ROLL CALL-

Members present: Pete VanVranken, Doug Chapman, Phil Qualls, Travis Arbogast and Kevin Smith.

Members Excused: Holly Green and Jon Bolton

Others present: Township Supervisor Laveta Hardish, Zoning Administrator Rob Behnke, Township ZBA Member Randy Lang and Rick Grosteffon.

APPROVAL OF MEETING MINUTES-

A motion was made Phil Qualls to approve the October 9, 2019 meeting minutes as presented, supported by Kevin Smith. **Motion carried with unanimous approval.**

GROSTEFFON RE-ZONING REQUEST/PUBLIC HEARING-

Chairperson VanVranken called the Public Hearing to Order at 6:09pm.

Township Zoning Administrator Rob Behnke indicated that Rick and Deb Grosteffon were seeking a re-zoning on property they own along Capital Avenue, SW (Property No. 13-14-011-006-01/vacant parcel/8.16 acres). The property in question is currently zoned Medium Density Residential (MDR). The Grosteffon's are requesting a change to Neighborhood Commercial (NC).

Mr. Grosteffon indicated that they would like to build an accessory building on the property that would allow him to store equipment associated with his business, Evergreen Landscaping Services. Right now he is storing his equipment outside at his home on 4 Mile Road which is a violation of the Leroy Township Zoning Ordinance.

A review of the Leroy Township Master Plan Future Land Use Map shows the property in question being zoned Neighborhood Commercial (NC).

BOARD MEMBER QUESTIONS/COMMENTS-

Doug Chapman asked about the drain assessment on the property. Mr. Grosteffon indicated that it was paid when he purchased the property.

Kevin Smith asked about an existing building on the property. Mr. Grosteffon indicated that the building was used by the previous owner as a horse barn and that half of the barn is in poor condition. He is hoping to salvage half of it for his use.

PUBLIC QUESTIONS/COMMENTS-

There were no public questions or comments.

CLOSURE OF PUBLIC HEARING-

Chairperson VanVranken closed the Public Hearing at 6:13pm.

NEW BUSINESS:

A motion was made by Doug Chapman to approve the re-zoning change as requested by Rick and Deb Grosteffon for parcel no. 13-14-011-006-01 from Medium Density Residential (MDR) to Neighborhood Commercial (NC), supported by Kevin Smith.

ROLL CALL VOTE:

Chairperson VanVranken-	YES
Travis Arbogast-	YES
Doug Chapman-	YES
Kevin Smith-	YES
Phil Qualls-	YES

Motion carried.

GROSTEFFON CONDITIONAL USE PERMIT REQUEST/PUBLIC HEARING-

Chairperson VanVranken called the public Hearing to Order at 6:17pm.

Township Zoning Administrator Rob Behnke indicated that Rick and Deb Grosteffon are seeking a Conditional Use Permit as required under the Leroy Township Zoning Ordinance for the operation of a *Contractor Establishment* on property no. 13-14-011-006-01.

Mr. Grosteffon explained that he was seeking a Conditional Use Permit for the storage of his commercial equipment associated with his landscaping business. He further stated that the proposed accessory building would NOT be open to public but would contain a bathroom and a small office area.

BOARD MEMBER QUESTIONS/COMMENTS-

There were no Board Member comments or questions.

PUBLIC QUESTIONS/COMMENTS-

There were no public questions or comments.

CLOSURE OF PUBLIC HEARING-

Chairperson VanVranken closed the Public Hearing at 6:20pm.

NEW BUSINESS-

A motion was made by Travis Arbogast to approve the Conditional Use Permit as requested by Rick and Deb Grosteffon for property no. 13-14-011-006-01, for the operation of a *Contractor Establishment*, and conditioned on the approval of their re-zoning by the Leroy Township Board, supported by Doug Chapman.

ROLL CALL VOTE:

Chairperson VanVranken-	YES
Travis Arbogast-	YES
Doug Chapman-	YES
Kevin Smith-	YES
Phil Qualls-	YES

Motion carried.

SITE PLAN REVIEW OF GROSTEFFON PROPOSED COMMERCIAL ACCESSORY BUILDING-

Township Zoning Administrator Rob Behnke indicated that the submitted information by Rick and Deb Grosteffon for a site plan review of their proposed commercial accessory building met the requirements outlined in the Leroy Township Zoning Ordinance. Mr. Grosteffon indicated that the proposed commercial accessory building would be 40' x 104' (4,160 square feet in area). There would be two sections- one section heated and the other section non-heated and that the building would have a bathroom. Mr. Grosteffon also discussed the site of their proposed well and septic system (he has already received approval from the Calhoun County Health Department) and that he will be using the existing driveway on the property. The building will not be open to the public as it will be used for storage of his equipment. He will also be using the building for work on his equipment.

BOARD MEMBER QUESTIONS/COMMENTS-

Doug Chapman asked if there would be any signage on the property. Mr. Grosteffon stated that there would be no signage on the property because it will not be open to the public.

Travis Arbogast asked if the proposed building would meet all of the required setbacks requirements as outlined in the Leroy Township Ordinance. Township Zoning Administrator Rob Behnke stated that it does.

PUBLIC QUESTIONS/COMMENTS-

There were no public questions or comments.

NEW BUSINESS-

A motion was made by Phil Qualls to approve the Site Plan, as submitted by Rick and Deb Grosteffon, for a proposed commercial accessory building (40 feet by 104 feet) on property no. 13-14-011-006-01, and conditioned on the approval of their re-zoning by the Leroy Township Board, supported by Kevin Smith.

Motion carried with unanimous approval.

A motion was made by Phil Qualls to appoint Travis Arbogast as Vice Chair of the Leroy Township Planning Commission, supported by Doug Chapman. **Motion carried with unanimous approval.**

A motion was made by Phil Qualls to select the following dates in 2020 for scheduled Planning Commission Meetings beginning at 6:00pm at the Leroy Township Community Building:

January 8, 2020, March 4, 2020, May 6, 2020, July 8, 2020, September 8, 2020 & November 4, 2020

supported by Travis Arbogast. **Motion carried with unanimous approval.**

DISCUSSION OF GOALS FOR 2020-

It was agreed upon that the Planning Commission would set the following goals for 2020:

- 1) Update the 2014 Leroy Township Master Plan
- 2) Create a 5 Year Parks & Recreation Plan
- 3) Review the current zoning ordinance for possible amendments (changes, deletions and/or additions)

ADJOURNMENT-

A motion was made by Travis Arbogast to adjourn the meeting at 6:49pm, supported by Phil Qualls. **Motion carried with unanimous support.** Meeting adjourned.

Respectfully submitted,

ROB BEHNKE
Zoning Administrator
Acting Secretary

OUTLINE FOR THE ADOPTION OF THE 2020 LEROY TOWNSHIP MASTER PLAN & LAND USE MAP

1. Once the Leroy Township Planning Commission approves, **by majority vote**, the 2020 Master Plan and Land Use Map, **a copy of the plan shall be forwarded to the Leroy Township Board for their review and comment.**

2. If the Leroy Township Board is satisfied with the proposed 2020 Master Plan and Land Use Map, **they shall approve by resolution the distribution of said Master Plan and Land Use Map** by notifying the Secretary of the Leroy Township Planning Commission.

3. Once the Secretary of the Leroy Township Planning Commission is notified of the Leroy Township Board's approval for the distribution of the proposed Master Plan & Land Use Map, **the Leroy Township Zoning Administrator shall notify the following entities:**

**Calhoun County Planning Department
City of Battle Creek
Newton Township
Emmett Charter Township
Athens Township
Burlington Township
Kalamazoo County Planning Department
Climax Township
Charleston Township
Wakeshma Township**

4. Letters are to be mailed First Class mail to each entity. A statement must be included that indicates that the **entity shall have (63) days from the date of the notice to submit any comments with regard to the proposed Leroy Township Master Plan & Land Use Map.**

5. Once the (63) day period expires, **the Leroy Township Planning Commission shall be required to conduct at least (1) Public Hearing** on the proposed 2020 Leroy Township Master Plan & Land Use Map. A Public Hearing Notice shall be

published in a newspaper of general circulation not less than (15) days prior to the actual hearing date. Said notice shall contain the date, time and place of the public hearing. **Notice must also be sent by first class mail to those entities listed above no later than (15) days prior to the actual hearing date.**

6. Approval of the Leroy Township Master Plan must be **affirmed with at least a 2/3rds majority** of those Leroy Township Planning Commission members present.

NOTE: The Leroy Township could, by Township Resolution, reserve final authority on actual plan approval.

Leroy Township

2019 Planning Commission & Zoning Board of Appeals Annual Report

INTRODUCTION

The Planning Commission was created by ordinance on March 9, 1959 and performs its duties and exercises its powers as provided by the Michigan Planning Enabling Act (PA 33 of 2008) and the Michigan Zoning Enabling Act (PA110 of 2006). The Michigan Planning Enabling Act (MPEA) provides for the creation, organization, powers and duties of Planning Commissions. The Michigan Zoning Enabling Act provides for the adoption of zoning ordinances and the establishment of zoning districts and prescribes powers and duties of certain officials including the Planning Commission.

The MPEA requires the Planning Commission to make an annual written report to the Leroy Township Board of Trustees. This report is to provide the Board with a summary and status of planning activities over the past year.

MEMBERSHIP

The MPEA states the membership of a planning commission shall be representative of important segments of the community. The composition of this Commission is made up of six residents and one representative of the Township Board.

In 2019, the Planning Commission's membership was as follows:

- Pete VanVranken, Chairperson
- Travis Arbogast, Vice Chairperson/ZBA Representative
- Jon Bolton, Township Board Representative
- Doug Chapman
- Phil Qualls
- Holly Green
- Kevin Smith

Rob Behnke, Zoning Administrator and Recording Secretary, assisted the Planning Commission.

MEETINGS

Normally, the Planning Commission is scheduled to meet the first Wednesday of every other month (beginning with January) at 6:00pm at the Leroy Township Community Building. The scheduled meetings will not be held if there are no agenda items for the Planning Commission to address. These meetings are open to the public.

- The Planning Commission held five (5) meetings in 2019.

PLANNING COMMISSION ACTIVITIES

During the past year the Planning Commission made recommendations to the Township Board for the following:

- Conditional Use Permit for the operation of a telecommunication tower (AT&T)
- Conditional Use Permit for the operation of a *Contractor Establishment*
- Site Plan Review for STATION 66 (addition), DR. CRAIG MILLER (addition), DOLLAR GENERAL STORE (reduction and re-hab) and EVERGREEN LANDSCAPING SERVICES (accessory building)

PLANNING COMMISSION GOALS FOR 2020

- Updating the Township Master Plan (last updated in 2014)
- Developing a 5 Year Parks & Recreation Plan

ZONING BOARD OF APPEALS

The Zoning Board of Appeals (ZBA) existed at the time of the adoption of the current Township Zoning Ordinance and performs its duties and exercises its powers as provided by the Michigan Planning and Zoning Enabling Acts as may be amended.

The powers of the ZBA is to hear appeals if a person feels there was an error made in enforcing the provisions of the Zoning Ordinance, granting of variances from specific requirements of the Zoning Ordinance and interpretation of the provisions of the Zoning Ordinance. The decision of the ZBA is final however a person having an interest affected by the decision of the ZBA may appeal to the Circuit Court.

MEMBERSHIP

The ZBA is a three-member board, appointed by the Township Board, of which includes one alternate member that serves when needed. The composition of the ZBA membership

includes a representative of the Township Board and a member representing the Planning Commission. The current ZBA members are as follows:

- Travis Arbogst, Chairperson/Planning Commission Representative
- Mike VanHouten, Township Board Representative
- Randy Lang

Rob Behnke, Zoning Administrator and Recording Secretary, assisted the ZBA.

MEETINGS

The ZBA meets when a request comes before them at the Leroy Township Community Building. These meetings are open to the public. The ZBA held three (3) meetings in 2019.

ZONING BOARD OF APPEALS ACTIVITIES

During the past year the Zoning Board of Appeals recorded the following actions:

- Approved setback relief for STERMER and DELL accessory buildings
- Denied setback relief for TRAMEL accessory building
- Denied lot size relief for MOSS parcel for the purposes of building a new residential home
- Approved reducing the number of required parking spaces for DOLLAR GENERAL

Respectfully submitted,

ROBERT P. BEHNKE, JR.
Zoning Administrator
Leroy Township

