

Pine Grove Township

Planning Commission

Special Meeting – Public Hearings

26520 CR 388, Gobles, MI 49055

September 21, 2020 6:00 p.m.

1. **Call to Order:** Meeting called to order at 6:01 p.m. by Chairperson Kehoe
2. **Roll Call: Present:** Kehoe, Hill, Marculis,D., Brown, Marculis,K., Yaple
3. **Absent:** Richardson
Others Present: Rebecca Harvey, AICP
Bear Priest, KABA
Don Lumbard
Susan Lumbard
Randy Whitmore
4. **Approval of Agenda:** *Motion made by Brown, supported by Yaple, to approve the Agenda for September 21, 2020. All yes, motion carried.*
5. **Approval of Minutes:** *Motion made by Kehoe, supported by Brown, to approve the Minutes of the Meeting for August 31, 2020. All yes, motion carried.*
6. **Public Comment on Non-Agenda Items:** Randy Whitmore stated that he is a position where he might need a special use permit so he came to the meeting for more information. He has a house on .5 acres that has a garage that is surrounded by the house. Whitmore stated he needs to know whether it is considered an attached or detached garage. Rebecca Harvey stated that it is considered an attached accessory building as it is not living space by ZO standards. Whitmore stated that he purchased the lot directly east of him, an additional .5 acres and wants to build a pole barn for vehicle maintenance and restoration. Whitmore stated he was trying to determine if he should combine the parcels or not and what impact the square footage of the house and garage would have on the size of the pole barn he wished to build. Whitmore was advised that either way, he would have to file a Special Land Use application. Bear Priest stated that he would get with Whitmore again to go over his options.
7. **New Business:**
 1. **Public Hearing: Special Use Request, Don Lumbard, 4992 West E Avenue, Kalamazoo, MI to allow an accessory building on otherwise vacant land at 15533 32nd St., Gobles, Parcel # 8-15-020-009-60 and requesting a waiver to the maximum square footage from 2000 sq. ft. to 3200 sq. ft.**

OPEN PUBLIC HEARING: 6:20 p.m.

Susan Lumbard stated they are requesting to build an accessory building on otherwise vacant land located on the east side of 32nd Street, north of CR 388 and is zoned R-1 Medium Density Residential. Parcel #80-15-020-009-60. This property is approx. 2 acres in size. Susan Lumbard stated that when they purchased the property, they were told that in order to build a pole barn on the property, they would have to include a living space. They do not wish to live in the building, they want to use the space for storage as they purchased property on North Lake and that property has no room for an accessory building. Susan stated that since beginning their building project, found that there are residents on North Lake that have built an accessory building on vacant lots that are several lots away from their primary residence and they want to be treated fairly and receive the same considerations. Bear Priest stated that when the Lumbard's first came to him they did not wish to have a living space. They were told at that time that that was the only way they could build on that vacant lot. The building construction began with a building at 3200 sq. ft. which was in line with the building permit. Therefore, the Lumbard's are requesting a waiver of the maximum square footage from 2000 sq. ft. to 3200 sq. ft. pole barn, which has already been constructed. Bear Priest stated that this is in an

area that has barns, the Fire Barn and the SLU that was approved last month on CR 388. The request for the waiver is due to the fact that they building has already been framed in based on the building permit and cannot reduce the size at this point in the building process. The well and septic have permits in place but will not be built or installed if the SLU is approved with the waiver for maximum square footage.

CLOSE PUBLIC HEARING: 6:27 p.m.

Review Criteria: ZO 8.01 E Accessory Buildings allowed with a special land use permit:

1. Board finds this request complies with the standards set to apply for an Accessory building allowed with a special land use permit on an otherwise vacant lot.

Review Criteria: ZO 7.03 A Special Land Use Review Criteria

1. Board finds this request meets the nature and character of use will be compatible with the other uses and buildings and structures, as stated, nearby Fire Dept. and Recycling Center buildings as well as other residences nearby with accessory buildings. The size however does not meet the standard but applicant is requesting a waiver to the maximum square footage from 200 sq. ft. to 3200 sq. ft.
2. Board finds the proposed building is of the same nature of other accessory buildings in the area. There is natural vegetation/trees which creates a visual barrier from adjoining properties and the roadway. The board finds that the building will have limited disturbance to the natural vegetation on the property.
3. Board finds no adverse effect to public services/facilities or public road burdens
4. Board finds no off-street parking conflicts
5. Board finds the use will not be detrimental or injurious to the use or development of adjacent properties or to the general neighborhood. None of the surrounding neighbors attended the Public Hearing to voice any concerns.
6. Board finds no adverse effect on the public health, safety and general welfare of community.
7. Board finds the use will be in accordance with the character and adaptability of the land at issue due to the fact that the principal building is not on the same land, but is very close and the fact that there are other storage buildings across the street. And the property is big enough that in the future, someone could put a primary residence there, however, the accessory building will still require a SLU as it will still be larger than what is acceptable for the acreage size.
8. Board finds the general standards hereinabove required for the allowance of such a special land use can and will, in the PC's judgement, be met at all times by the applicant with the special condition that will be set forth.
9. Board finds the specific standards applicable to particular uses as set forth in Article 8 can and will, in the PC's judgement, be complied with at all times with the special conditions set forth.

Motion made by Kehoe, supported by Brown, to approve the Special Land Use to Mr. Don Lumbar for an Accessory Building on an otherwise vacant lot based on the evidence produced during the hearing using ZO 8.01 E and 7.03 A, and to approve the waiver of the maximum square footage from 2000 sq. ft. to construct a 3200 sq. ft. pole building, with the special conditions that a well and septic system not be installed and not allowed to be added unless or until a principal residence is added and that the accessory building be used only for the purposes stated for storage and that the natural vegetation and trees are to remain and be maintained along the road frontage and along the west, north and south sides of the property. Hearing no further discussion. *Roll Call: Kehoe – yes, Hill – yes, Marculis,D. – yes, Brown – yes, Yaple – yes, Marculis,K. – yes. All yes, motion carried.*

8. Public Comment on Agenda Items: None

9. Old Business:

1. **Zoning Ordinance Text Revisions:** Rebecca Harvey reviewed the text amendments in ZO 2.02 and 8.01. *Motion made by Marculis, D., supported by Yaple, to approve the text amendments as written in Article 2.02 and Article 8.01 and to schedule a public hearing for October 19, 2020 at 6:00 p.m. All yes, motion carried.*

2. Planning Commission By- Law Revisions:

Chair Kehoe stated that based on the previous discussion regarding the Planning Commission By-Laws in having monthly meetings scheduled instead of quarterly meeting, Kehoe stated that he spoke with the Township Board and they asked for a proposal. Marculis developed a proposal for consideration. The benefits of having monthly meetings are:

*Time involved in finding a Special Meeting Date for Public Hearings for
7 board members
Zoning Administrator
Zoning Consultant.

*Monthly meetings would guarantee that the 7 board members, Zoning Administrator and Zoning Consultant would have the monthly meeting already in their calendar so that when a Public Hearing needed to be scheduled, it could be posted for the next meeting scheduled.

*If there were no pressing issues or Public Hearings, the meeting can be cancelled at least 18 hours prior to the scheduled meeting, but more than likely would be 15 days prior to the meeting.

*Monthly meetings would reduce the time involved for an applicant waiting for their Special Land Use application to be heard.

Motion made by Brown, supported by Hill, to amend the Planning Commission By-Laws, Section 5A – Regular Meetings as written. All yes, motion carried.

10. Commission Comments: None

11. Adjournment: Motion made by Kehoe, supported by Hill, to adjourn. All yes, motion passed.

Adjourned at 7:05 p.m.

Next Meeting(s): For 2020: Regular Meetings: Oct 19, 2020

Respectfully,

Deborah Marculis

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Secretary, Pine Grove Twp. Planning Commission