

Pine Grove Township

Planning Commission

Regular Meeting/Public Hearing

26520 CR 388, Gobles, MI 49055

March 21, 2022 6:00 p.m.

1. **Call to Order:** Meeting called to order at 6:01 p.m. by Chair Kehoe
2. **Roll Call: Present:** Kehoe, Hill, Marculis, D., Richardson, Brown, Yapple, Marculis, K.
Others Present: ZA Bear Priest, Consultant Rebecca Harvey, Pat and Angie Ferrall, Jeff Pangle, Steve Bruin, Jim and Chelsea Grimes, Diane Ford
3. **Approval of Agenda:** *Motion made by Hill, supported by Brown to approve the Agenda for March 21, 2022. All yes, motion carried.*
4. **Approval of Minutes:** *Motion made by Hill, supported by Richardson to approve the Minutes of the Meeting for January 10, 2022. All yes, motion carried.*
5. **Public Comment on Non-Agenda Items:** None
6. **New Business:**
 1. **Public Hearing:** SLU Permit for Pat and Angie Farrell, 25029 CR 388, Gobles to allow for a 10,400 square foot accessory building which would allow 11, 556 square feet of accessory structures on the property (5000 is allowed per ZO) and to also request maximum height of 26ft. (allowable is 25 ft) on 160-acre parcel.

Chair Kehoe presented the public hearing instructions.

OPEN PUBLIC HEARING: 6:04 p.m.

Zoning Administrator Bear Priest introduced the applicants Pat and Angie Farrell and the property manager Jeff Pangle. Priest advised that the owners are currently building a house on the property and would like to build a very large accessory building. They own 160 acres with two more parcels that are contiguous that are 46.2 acres and 24.6 acres, totaling 230 total acres under contiguous ownership. The house with the attached garage and the proposed accessory building would be 11, 556 square feet of accessory structures on the property and 5000 sq ft is the maximum allowed per the ZO and because of the size of the building and with the standard 4/12 pitch of the roof, the peak comes in at 26 ft. and the maximum height allowed per the ZO is 25 ft. Kehoe asked what the purpose of the use of the accessory building is and Jeff Pangle stated that it is for personal use, no animals, and a "man cave". ZA Priest stated that all the set backs are met and the total utilization of the 160 acres is under 2%. Hill stated that he understands that there is a bathroom in the plans and ZA Priest stated that there is nothing in the plans that would allude to any living space in the proposed accessory building. Brown asked if there were going to be any tractors stored in the accessory building and Jeff Pangle stated that the proposed building is only for owner personal storage, work shop and a man cave. ZA Priest stated that the proposed accessory building is in the side yard, a few feet back from the front of the house and meets all the setbacks. The house sits approx. 400 ft. from the road. Property Manager Pangle stated that they took out a silo, which was 50 ft tall and a bunch of trees so that the view is actually clearer and lower than it was previously and it is a very dressed up accessory building, lots of windows and a porch, a shingled roof, not just a square metal pole building. Kehoe asked if there was going to be any landscaping around the house and barn and Property Manager Pangle stated that yes, there would be a lot of landscaping done and trees brought in. Brown asked what the fenced in space was for and Pangle stated it was for 1 dog. Brown asked if the owners were looking at a future kennel and Pangle stated no, it was for personal use.

Steve Bruin asked if the site plan could be passed around so that the attending neighbors could have a look at the plans. The site plans were passed around. Diane Ford asked what the special use is, if there was going to be any growing done on the site. Pangle stated that no, there would be no growing in the proposed building. Priest

stated that the applicants have followed all regulations, processes and procedures required on building the house and see's no indication that they will not follow any special use conditions that are set by the Planning Commission. Chair Kehoe asked for any other comments or questions, hearing no further discussion.

CLOSE PUBLIC HEARING at 6:19 p.m.

Consultant Rebecca Harvey stated that one of the purposes of the ZO size standard is not because the township doesn't want larger buildings in the township, but because the township does want the ability to look at the relative size of the property, lot coverage, use, etc. A second a reason for the accessory building size standard is the use of the building. Generally speaking, an accessory building used for non-residential uses in a residential district are a concern. The larger the accessory building the more likely it is to be used for something other than residential uses. Harvey stated that it would be perfectly reasonable and responsible for the board to condition the approval to the use specified in this application, so that the original intent is documented and that gives the board another layer or protection if there are ever any enforcement issues.

Review Criteria: ZO 8.01 Accessory Uses and Accessory Buildings/Structures

ZO 8.01 A-D – ZA Priest stated that ZO 8.01 A-D are all met except for C 3 and C4, the square footage allowance and the height allowance.

ZO 8.01 E: Accessory Building Allowed with a Special Land Use Permit:

E 3: Commission agree that the proposed accessory building will not have a material adverse impact upon the owners and occupants of adjoining lots as the applicant owns 160 acres and 2 parcels contiguous to the south and meets the set backs on the west and north property lines. A 50' silo and several trees were removed which were higher than the requested 26' roof height.

E 4: Commission agree that the purpose for the proposed pole barn will be used strictly for personal use, personal storage, work shop and man cave demonstrated by the use specified on the application, the presentation of the applicant and the floor plan.

Review Criteria: ZO 7.03 A: Special Land Use Review Criteria

1. The Commission finds the size, nature and character of the use will be compatible with other uses and buildings
2. The Commission finds the use will be compatible with the natural environment of the area.
3. The Commission finds the use will not adversely affect the capacities of public services and facilities and will not cause unreasonable traffic congestion or otherwise burden the public roads and streets in the area as it is not adding any traffic or vehicles other than personal vehicles of the residents.
4. The Commission finds the use complies with all off-street parking requirements of the Ordinance and all other applicable requirements imposed by this Ordinance as it will not increase needed parking.
5. The Commission finds that the use will not in any manner be detrimental or injurious to the use or development of adjacent properties, to the occupants thereof, or to the general neighborhood as it does meet all set back requirements and the owners own the land adjacent to the south and east and setback are compliant to the properties to the north and west.
6. The Commission finds the use will not adversely affect the public health, safety and general welfare of the community.
7. The Commission finds the use will be in accordance with the character and adaptability of the land at issue. This being a very large accessory building however, it is on a very large parcel of property and the length of the structure is not facing the road, therefore, the bulk of the building is not seen from the roadway.
8. The Commission finds that the general standards hereinabove required for the allowance of such a special land use can and will, in the planning Commission's judgement, be met at all times by the applicant.
9. The Commission finds the specific standards applicable to particular uses as set forth in Article 8.00 can and will, in the Planning Commission's judgement, be complied with at all times.

Marculis, D asked Consultant Harvey what the Commission's responsibility is regarding future sale/split of the property and the new owners wanting to use the accessory building differently than what was permitted with the Special Land Use. Harvey stated that a parcel that big you can anticipate that it will be split in the future. Land divisions have to comply with standards and those standards will look at the size of the new property parcel and existing buildings to make sure that the buildings square footage still meet lot coverage standards, etc. so that there is some management there. Also, because one of the commission's findings in support of the special land use permit is based on the size of the parcel of land and the contiguous parcels of land. A land division proposal would modify that condition so they would essentially have to come back in for approval to modify the special use permit. ZA Priest suggested that approval of any SLU goes right into the property files so that in 20 years or so if there is any modification to the property, they will see that there was a SLU with the property.

Motion made by Kehoe, supported by Richardson, to approve the application for a special land use permit to allow for the construction of a 10,400 sq. ft. accessory building to be located on the site in accordance to the drawings submitted to the Planning Commission, based on the finding of the Planning Commission that, after review of the special land use application and the evidence produced at the hearing that the project is in conformance with the requirements of sections 7.02, 7.03 and 8.01 of the Pine Grove Township Zoning Ordinances and include a special condition that the building is to be used specifically for personal use only including storage of personal items. Roll Call: Kehoe – yes, Hill – yes, Richardson – yes, Yaple – yes, Brown – yes, Marculis, K – yes, Marculis, D – yes. All yes, motion carried. SLU Permit approved.

7. **Public Comment on Agenda Items: None**
8. **Old Business:** Kehoe stated that even though it is not on the agenda, the commission feels that another discussion/education on amending Zoning Ordinance 8.01 C 3: the total combined floor space of accessory building(s) limits. Yaple proposed a less rigid sliding scale of allowed combined square footage based on acreage. A lengthy discussion with input from ZA Priest and Consultant Harvey and all members of the board, only two members, Yaple and Marculis D were in favor of amending the ZO, 5 members were opposed to amending the ordinance. Harvey stated that the intent of the ordinance is so that the commission can look at the impacts of each request individually of an accessory building that exceeds the ordinance limits, especially the use of these accessory buildings. ZA stated that Supervisor Smith has contacted him several times about amending the ordinance and making it so there is no limit on total combined floor space requirements after a certain number of acres. Five members of the commission did not agree with amending the ordinance. Something that may be looked into is the cost of a Special Use Application, which is \$500 and \$500 Escrow. No one is aware of what happens to the money in the Escrow accounts. Priest stated the fee is \$750 or a Variance but \$1000 for a SLU. Priest stated that the next time he speaks with Sup. Smith he will suggest looking at the fee schedule. Marculis, D stated that she would contact Clerk Meert on what happens with the escrow monies that are taken in for SLU.
9. **Commission Comments:** Marculis, D stated that the April meeting will be the election of officers. Bear Priest stated that he does not have any paperwork that would require a public hearing. Marculis will notify ZA Priest and Consultant Harvey if there is nothing on the agenda that they need to be present for.
10. **Adjournment: Motion made by Richardson, supported by Hill, to adjourn. All yes, motion passed.**

Adjourned at 7:35 p.m.

**Next Meeting(s): For 2022: April 18th May 16th June 20th
July 18th August 15th Sept 19th Oct 17th
November 2st Dec 19th**

All meetings: 6:00 p.m.

Respectfully,

Deborah Marculis

Deborah Marculis

Secretary, Pine Grove Twp. Planning Commission