

ATTICA TOWNSHIP
MINUTES OF THE
PLANNING COMMISSION
JULY 23, 2015

At a regular meeting of the Attica Township Planning Commission held on the 23rd day of July, 2015, at the Attica Township Hall, 4350 Peppermill Road, Attica, MI 48412.

The meeting was called to order by Chairperson Penzien at 7 p.m. The following members were PRESENT: David Penzien, Geraldean Berry, Kent Gierman, Robert Stockwell, Phil Madeline, and Mark Ochadleus. ABSENT: Bud Fackler. ALSO PRESENT: Planner Birchler, Associate Planner Sheila Starks, Attorney Gildner and the public per the attached sheet.

REVIEW MINUTES:

The Board having reviewed the minutes of the May 28th, 2015 regular Planning Commission meeting minutes and there being no corrections, additions or deletions:

MOTION by Berry, seconded by Stockwell to approve the May 28th, 2015 regular Planning Commission meeting minutes as presented. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

PUBLIC HEARING: None.

OLD BUSINESS:

1. **Ryan Stoldt's Application for Limited Business Use in the AG District (Auto Repair):**

Ryan Stoldt's application for Limited Business Use in the AG District was tabled at the May 28, 2015 Planning Commission meeting to allow Mr. Stoldt more time to clean-up his property. Mr. Stoldt requested the Planning Commission again table a decision because although he has made significant progress in the clean-up of his property he would like additional time to finish. There was discussion.

MOTION by Stockwell, seconded by Berry to table Ryan Stoldt's Special Land Use request to conduct an Automotive Repair Limited Business Use in the AG district until the next Planning Commission meeting on September 24th, 2015 to allow Mr. Stoldt time to complete the clean-up of the property and to gather all the required information. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

2. **Revised Andy Wagner Site Plan:**

Planner Birchler reviewed the revised site plan for Andy Wagner's application for a Special Land Use of Residential Limited Business Use to run an automotive repair

shop from his home and stated that he still cannot recommend approval. Planner Birchler stated that the two major concerns are adequate screening and detailed information on how Mr. Wagner intends to handle automotive waste and fluid spills.

Mr. Wagner stated that he spoke with his neighbors and they have no problems with his business and he has never received a complaint from anyone. Mr. Wagner also addressed how he takes care of oil and oil spills and stated that he is hazmat certified. As far as screening Mr. Wagner stated that he planted six trees and they all died.

MOTION by Ochadleus, seconded by Madeline to approve Andy Wagner's application for a Special Land Use of Residential Limited Business Use to run an automotive repair shop from his home with the amended changes. Property zoned R-3 One-Family Residential and located at 665 Lake Pleasant Road. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

MOTION by Gierman, seconded by Stockwell to amend the motion to approve Andy Wagner's application for a Special Land Use to add a stipulation to require natural trees along the east and northern property lines for screening and to limit the number of vehicles being worked on and or waiting to be worked on to four. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

3. **Kirklin Accessory Building discussion per Birchler's review:**

Planner Birchler reviewed Tim Kirklin's application to construct a 30 foot by 76 foot pole barn and discussed the issue of the building being too large and the wall height too tall.

Supervisor Ochadleus informed the Planning Commission that he requested Mr. Kirklin's application come before them and Attorney Gildner because the building has already been started and because of sensitivity due to the history of Mr. Kirklin and the township. Supervisor Ochadleus stated that this is a self-created hardship.

Planner Birchler stated that a person can request a variance however this is after the fact and a self-created hardship therefore the Zoning Board of Appeals isn't allowed to grant it. Fixing the wall height is the solution to the problem.

Attorney Gildner advised the Planning Commission to deny the application as submitted or to take no action until a new application is submitted.

Mr. Kirklin stated that he already has a new application filled out for Planner Birchler to review. Mr. Kirklin stated that the building is a shell and has not been worked on since September.

Construction Code Authority has placed a stop work order on the building because Mr. Kirklin did not have a permit.

The Planning Commission did not take action on Mr. Kirklin's application. Mr. Kirklin will resubmit his application which will conform to the requirements therefore it will be handled administratively and the Planning Commission will not need to act on it.

4. Planner Birchler: Possible changes to Limited Business in the Residential District:

Associate Planner Starks distributed a suggested revision for Agricultural Limited Business Uses and Planner Birchler reviewed it. There was discussion. Planner Birchler will put the revisions into an amending ordinance format for the next meeting and the Planning Commission can decide if they would like to hold a public hearing to amend the ordinance.

5. Planner Birchler: Evaluation of Attica Township's Master Plan:

Planner Birchler stated that the Master Plan does not need to be changed every five years but it should be reevaluated to determine if it is still relevant. Planner Birchler doesn't know of any significant changes that need to be made but it makes sense for everyone to take out their copies and discuss it at an upcoming planning commission meeting.

NEW BUSINESS:

1. Clarification of Accessory Building Maximum Height Allowed:

Associate Planner Starks distributed 5.0 Site Standards of the zoning ordinance and Planner Birchler reviewed it. Planner Birchler suggested accessory building applicants print their applications right from the web site to be assured they have the latest version.

COMMUNICATIONS AND SECRETARY REPORT: Ed Tech has applied for a sign permit.

PUBLIC TIME: None.

ATTORNEY REPORT & CONSULTANTS REPORT: None.

There being no further business before the Planning Commission, **MOTION** by Berry seconded by Stockwell to adjourn the meeting at 8:27 p.m. A vote was taken. Ayes: All. Nays: None. Absent: One (Fackler). **MOTION CARRIED.**

Bud Fackler, Secretary of the
Attica Township Planning Commission

Valerie Schultz, Recording Secretary