

**Minutes from the
Almira Township Planning Commission Meeting**

December 5, 2023

6:00 p.m.

Call to Order: Chairperson Ratajczak called the meeting to order at 6:07 p.m. at the Almira Townhall in the Village of Lake Ann.

Members Present: Ryan Ratajczak, Lori Florip, Duane Newman, Melisa Martin, Vince Edwards. Kurt Swartz and Shannon Jordan were excused.

Additions/Deletions to Agenda: None

Approval of Agenda: *Motion by* Edwards, supported by Martin, to approve the agenda as presented. All ayes, no nays, Swartz and Jordan excused, motion passed.

Approval of Minutes: *Motion by* Edwards, supported by Martin, to approve the meeting minutes of October 3, 2023, as amended. All ayes, no nays, Swartz and Jordan excused, motion passed.

Brief Public Comment: Bruce Shane, 19556 Pleasantview Road, asked about the Township's Short Term Rental process.

Zoning Administrator: Z/A Preston presented information regarding number of permits this year versus last year; the count of dwelling construction by month, and a monthly complaint report. She answered questions from the Commissioners. She also presented the Short-Term Rental renewal application that she has sent out. All but one renewal application has been returned.

Township Board Representative: Township Board member Florip stated that the Board has been working on Mistwood Greens, ARPA fund projects, and possible Pension/Social Security changes.

Zoning Board of Appeals Representative: No meetings have been scheduled.

Intergovernmental Representative: Vince Edwards, Lake Ann Village Council member stated that Village President Hawkins thought the Township Planning Commission should be aware of the Village Road Right of Way in front of the townhall extending to Lake Ann Grocery, that if the townhall was having work done on the front of the building the road right of way needs to be refreshed. Vince discussed the status of the Village's short term rental ordinance. Vince also stated that the Christmas Tree Lighting/Santa arrival event was a huge success.

Conflict(s) of Interest: None

Guests: None

Old Business:

- A. Zoning Ordinance Amendment: Section 4.07 Camping/Recreational Vehicles:** Z/A Preston presented the proposed draft amendment as follows: Private, non-commercial camping shall be allowed on any property, whether vacant or improved, subject to restrictions

as to number and duration of camping units. The property owners may occupy a single tent, travel trailer, motor home, or similar vehicle for up to, but no more than, one hundred eighty (180) consecutive days. Additional and/or non-owner-occupied camping units are permitted for up to, but no more than, twenty-one (21) consecutive days per unit. **Commercial camping, where camping units are marketed, promoted, and/or sold, is not a permitted use in any district.**

The occupants of any tents, travel trailers, motor homes and other similar vehicles used for private, non-commercial camping shall have access to appropriate sanitary facilities, and all waste disposals shall meet health department requirements. Outdoor storage of unoccupied recreational vehicles is limited to those owned by the property owner and may not be within any required setbacks.

Discussion took place with the consensus that this amendment would be added to the list for public hearing at a future date.

B. Zoning Ordinance Amendment: Section 4.09: Second Dwelling on Parcel: Z/A

Preston reviewed and explained the proposed amendment. Discussion took place with the consensus that Z/A Preston is to review what other neighboring townships have for language and bring it back to the next meeting.

C. Zoning Ordinance Amendment: Section 4.29: Utility Scale Solar Energy Systems:

This amendment language was reviewed at a previous meeting and should be ready for the public hearing list at a future date.

D. Zoning Ordinance Amendment: Article III: Definitions, Non-Conforming Lot of Record,

Kennel: Z/A Preston explained and reviewed the proposed amendment regarding kennel definition as follows: Kennel: Any lot or premises on which four (4) or more dogs and/or cats, four (4) months of age or older are **confined and** kept temporarily or permanently **for sale, boarding, breeding or training purposes**. Discussion took place with the consensus that this item could go on the list for future public hearing. Non-Conforming Lot of Record had been put on the future public hearing list already.

New Business:

A. Zoning Ordinance Amendment: Article III: Definitions – Structure, Open Fences:

Structure: Z/A Preston explained and reviewed the proposed amendment regarding the definition of structure as follows: Anything **constructed, erected, or placed which requires permanent location on the ground or attachment to something having such location on the ground**. Structures include, but are not limited to buildings, decks, docks, advertising signs, storage sheds, play equipment, **shipping containers**, radio towers, flag poles, antennas, **septic systems**, and storage tanks.

Kate then explained and reviewed the proposed amendment regarding the definition of open fence and fence, open as follows: **Open Fence: A fence constructed in such a way that no more than 20% of the surface area of the fence obstructs a view through the fence from a position perpendicular to the fence.**

Fence, Open: See Open Fence

Discussion took place with the consensus that both of these definitions be added to the future public hearing date.

- B. Zoning Ordinance Amendment: Article I Section 1.05: Limitation of ZO:** Z/A Preston explained and reviewed the proposed amendment as follows:

Section 1.05 – Limitation of Zoning Ordinance

Accessory buildings or structures exclusively used for the purpose of Agriculture, such as barns, sheds, pens, or fences, are exempt from all but the following provisions of this Zoning Ordinance:

- A. Accessory buildings exclusively used for Agriculture must apply for a Zoning Permit, as defined in Section 9.03 of this Ordinance.
- B. Accessory buildings exclusively used for Agriculture must meet all required setbacks, as defined in Section 6.07 of this Ordinance.
- C. Fences over six and one-half feet (6 feet 6 inches) in height used for Agriculture must be of an Open Fence design, as provided in Section 4.12 of this Ordinance.

Discussion took place with the consensus that this amendment can be added to the future public hearing list.

- C. Zoning Ordinance Amendment: Section 4.25: Animals:** Z/A Preston explained and reviewed the proposed amendment as follows:

4.25 – Animals

The following regulations shall apply to the keeping of animals and livestock:

- A. The raising or keeping of small animals, such as rabbits, poultry, goats or sheep, is permitted on parcels one (1) acre or more in size. On parcels less than one (1) acre in size, small animals are only allowed under the following conditions:
 - 1. Up to four (4) chickens (no roosters) may be kept if housed within a total enclosure at all times, located outside of property setbacks and screened so as not to become objectional to neighboring residential use.
 - 2. Small animals may be kept as individual pets or 4-H projects if properly housed and fenced, located outside of property setbacks and screened so as not to become objectional to neighboring residential use.
- B. The raising or keeping of large animals, such as hogs, horses or cattle, is permitted on parcels four (4) or more acres in size. Large animals shall not be kept closer than one hundred fifty (150) feet from adjoining non-farm residences. All animals are to be properly housed and fenced so as not to create a public nuisance.
- C. On parcels less than four (4) acres in size but larger than two and a half (2.5) acres in size, a limited number of large animals may be allowed, subject to Planning

Commission approval per **Article VII: Site Plan Review**. Reasonable conditions may be imposed by the Planning Commission, including but not limited to:

1. Limitation on number of large animals, for the purpose of reducing nuisance to adjoining non-farm residences
 2. Requirement for a Buffer Strip, for the purpose of reducing noise to adjoining non-farm residences
 3. Setback for manure storage, for the purpose of reducing odor to adjoining non-farm residences
- D. The raising or keeping of animals for the purposes of Agriculture shall be in full compliance with the Michigan Right to Farm Act, Act 93 of the Public Acts of 1981, as amended, and in full compliance with Michigan generally accepted agricultural management practices (GAAMPs) for the animals in question.

Discussion took place with the consensus that Item 4.25.C needed additional information to be presented to the Commissioners, otherwise this item could be added to the future public hearing list.

- D. Accessory Building Minor permit requirements – Review:** Z/A Preston would like the Planning Commission to review definitions for this including Section 9.03 Zoning Permit in the Zoning Ordinance. Consensus was that Kate is to get additional information and bring back to another PC meeting.
- E. Special Use Review: Private Resort & Clubs:** Z/A Preston presented information and asked the Commissioners for their opinion. Kate is to get information from neighboring townships regarding this and bring back to a future meeting.
- F. Site Plan Review – ADU – 19230 Fowler Road:** Z/A Preston presented the Accessory Dwelling Unit application for property address 19230 Fowler Road. Section 7.05.B of the Zoning Ordinance was reviewed and discussed. *Motion by* Edwards, supported by Newman, to approve the Accessory Dwelling Unit application for property address 19230 Fowler Road as presented. All ayes, no nays, Swartz and Jordan excused, motion passed.

Extended Public Comment: None

Commissioner Comments: None

Chair Comments: None

Adjourn: Chairperson Ratajczak adjourned the meeting at 8:54 p.m.

Mary Dort, Recording Secretary