

**Minutes from the  
Almira Township Planning Commission Meeting  
June, 04 2019  
6:00 p.m.**

**Call to Order:** Chairperson Ratajczak called the meeting to order at 6:02 p.m. at Almira Township Fire and EMS Facility.

**Members Present were:** Bill Ballard, Vince Edwards, Don Ellis, Duane Newman, Ryan Ratajczak, Lori Florip, Simon Wolf and Roger Williams. Legal Counsel present.

**Members Absent were:** None.

**Additions/Deletions to Agenda:** Add Boat Storage to New Business as item A.

**Approval of Agenda:** Motion by Edwards, supported by Ellis, to approve the agenda as amended. All ayes, motion passed.

**Approval of Minutes:** Motion by Edwards, supported by Ellis, to approve the minutes of May 7, 2019 as presented. All ayes, motion passed.

**Brief Public Comment:** None.

**Zoning Administrator:** Williams provided his written report via e-mail. May was a busy month. Williams has been working on an ongoing condo issues, complaints of barking dogs and numerous junk complaints. Also involved with the review of amendments to permitted uses in Commercial district. Williams sent a letter regarding a vibration complaint. He hasn't heard anything since it was mailed 10 days ago and is still a mystery. Williams noted that the township board did accept the planning commission's recommendation to update the fee schedule.

**Township Board Representative:** Florip reported the township board held a special meeting this morning to review resumes to fill the Fire/EMS position. The trees that have ribbons in the park will be removed shortly due to disease issues. Next Monday is the regular meeting.

**Zoning Board of Appeals Representative:** None.

**Intergovernmental Representative:** None.

**Benzie County Planning Commission Representative:** Edwards attended an economic development meeting. They are looking at internet access, including expanding bandwidth and additional capabilities in the county.

**Conflict(s) of Interest:** None.

**Guests:** Tessa and Shannon Burch, Joe Tanis, Dorina Rudd

**Minutes from the  
Almira Township Planning Commission Meeting  
June, 04 2019  
6:00 p.m.**

Motion by Wolf, supported by Edwards to close the regular meeting at 6:11 p.m. and open the Public Hearing.

**Public Hearing – Amendments to Commercial District Section 6.05:** Order to amend Almira Township zoning ordinance 6.05-1. The intent is to amend and add additional text. The Planning Commission shall follow the standards set forth in section 13.01 B to address the amendment submitted by the Zoning Administrator.

Motion by Edwards, supported by Ballard, to close the Public Hearing and open the regular meeting at 6:25 p.m.

**Old Business:**

- A. Section 6.05 Commercial District Review:** Deliberations – Discuss wording of amendment to ordinance. Proposed additional text to read:

Therefore, maximum structure size in the Commercial District shall be limited to a maximum of five thousand (5000) square feet. Additional structures shall be subject to the Special Use Approval provisions of section 6.05.3. In addition, accessory structures two hundred (200) square feet and less are allowed with site plan approval by the planning commission.

Further, to amend Section 6.05.3, Uses subject to Special Approval to add:

Z. Car Washes, subject to the provisions of Section 8.03 Supplemental Development Standards, part C.

**Findings of Fact**

Sect 13.01 B. When considering a proposed zoning ordinance amendment, the township planning commission shall consider the following applicable factors:

1. Is the proposed amendment reasonably consistent with surrounding uses? **N/A**
2. Will the proposed amendment cause an unreasonably adverse physical impact on surrounding properties? **No**
3. Will the proposed amendment cause an unreasonably adverse effect on property values in the adjacent area? **No**

**Minutes from the  
Almira Township Planning Commission Meeting  
June, 04 2019  
6:00 p.m.**

4. Have there been changes in land use or other conditions in the immediate area or in the township in general which justify the proposed amendment? **N/A**
5. Will the proposed amendment create an unreasonable deterrent to the improvement or development of adjacent property in accord with existing regulations? **No**
6. Will the proposed amendment grant a special privilege to an individual property owner when contrasted with other property owners in the area of the general public (i.e. will rezoning result in spot zoning). **N/A**
7. Are there substantial reasons why the property cannot be used in accordance with its present zoning classifications or under the current use regulations? **N/A**
8. Is the proposed amendment in conflict with the planned use for the property as reflected in the master plan? **N/A**
9. Is the site served by adequate public facilities or is the petitioner able to provide them? **N/A**

Motion by Wolf, supported by Edwards, to accept the proposed amendment to sections 6.05.1 and 6.05.3 of the zoning ordinance.

Roll call vote. 7 Ayes, 0 Nays, motion carries.

**New Business:**

- A. Boat Storage:** Williams enforces the Zoning Ordinance on a complaint basis, when reported to the Township office. On clean-up day, numerous people coming through asked about the boats north of the golf course. Williams sent the property owner a letter. The property is currently zoned Agriculture. The property owner claims they do not operate a home based business but it outwardly appears to be the case.

Tessa Burch spoke on behalf of the issue. Tessa and her siblings work for the small business American Boat Rental and have since 2012. The owner of the company has become a strong family friend. Tessa's family offered up their property to keep the boats during the winter. No compensation is given, they are just being friendly. The owner has given these kids a great opportunity by employing them so they are able

**Minutes from the  
Almira Township Planning Commission Meeting  
June, 04 2019  
6:00 p.m.**

to pay for college. They have been using their property to store the boats in the winter for the past 3 years. At this point, they are waiting to move the boats to Long Lake Marina where the business is based during the summer months, until the marina can accommodate them. Burch would like to be able to continue to accommodate the boats during the winter months and phase out storing them within the next 4 years.

The Zoning Ordinance clearly states what can and cannot happen. The zoning administrator has addressed the issue and feels it shouldn't be allowed based on terms of the ordinance. If it is allowed to continue, it gives other people the idea they can do the same type of things. It's becoming a greater and greater concern. It's not just our township either; it's a county wide issue concerning blight.

Joe Tanis, owner of American Boat Rental, stated that the business is run out of Long Lake Marina and most people don't see the boats in the winter from the snow banks. The business brings 700 people to the community here. They are not running a business here, just storing the boats.

Ratajczak pointed out that if you were to take this same situation to any other townships, they probably wouldn't have granted as much leniency. The boats need to be moved to an area that allows for them. Once the boats are moved, bring the township a plan to present but have other options in place for the storage. We don't have a problem tabling this issue for a month or two. We don't want to see legal action happen. The boats cannot return unless we have some sort of plan.

The Burch's' and Mr. Tanis were told to familiarize themselves with our ordinance, specifically ordinance 4.11 for home business. A proposed idea was building a pole barn to store the boats in. They were also encouraged to come into the township to speak to Mark Roper or Roger Williams to discuss what their other options may be.

- B. Commercial District Amendment #19-02:** Williams brought this to the Planning Commission. All commercial uses would come to the Planning Commission for site plan review. More and more townships are moving this way.

**Extended Public Comment:** None.

**Commissioner Comments:** None.

**Minutes from the  
Almira Township Planning Commission Meeting  
June, 04 2019  
6:00 p.m.**

**Chair Comments:** Thank you public and commissioners.

**Adjourn:** 7:54 p.m.

Megan Chorley  
Recording Secretary

DRAFT