

Almira Township Planning Commission

October 6, 2020

Meeting Call to Order: 6:05 pm

Roll Call: Present – Ballard, Edwards, Newman, Ratajczak, Florip, Wolf, Ellis

Absent: NA

Additions to the Agenda: Ballard requested he have a few minutes to discuss updates to the Master Plan. Z/A Williams requested Zoning Conflicts be added to the agenda.

Approval of Agenda: Ballard 1st Florip 2nd

Approval of Minutes: September 1, 2020 – Wolf 1st Florip 2nd

Brief Public Comment: None

Zoning Administrator: In addition to the written Z/A Report, there was discussion regarding the higher than average number of calls from Realtors. Also, discussion regarding a real estate Auction taking place at the time of the meeting. These properties are on White Tail Trail off Co Rd. 669.

Township Board Rep: Florip reported the Fire Chief will be back, middle of October. The board also took up the issue of deed restrictions with a neighboring landowner where the current frisbee golf course resides. The owners of the adjacent property have complained that one of the cement pads for the disc golf is within the 50' lot line setback in violation of the deed restriction placed at the time of the sale. Florip reported the cement pad will be removed relocated and replaced with gravel. The goal basket will also be relocated. Florip also commented that the Fire Department is not interested in utilizing the Remediation Building in the Village.

Zoning Board of Appeals: NA

Intergovernmental Report: NA

Conflict of interest: Ballard and Newman – related to New Business – Short Term Rental review

Guests: Mark Gabrick

Old Business:

- A. Proposed zoning amendment #19-02- commercial use review:** Carried forward to the next meeting
- B. Site Plan Application: 19156 Birch View Trail:** There was discussion by the commission members regarding the background and existing neighborhood tensions regarding this short-term rental application. Due to the close proximity of two current commission members it was deemed to be a conflict of interest for them to participate in the formal review process.

The Commission discussed the application including.

- a. Newman reported that both he, and neighbor Getz had discussed the STR process with Mrs. Herd. She is aware that she has been operating without the STR approval for many years. Z/A Williams reported Mrs Herd "Does not sound eager to comply". Chariman Ratajczak asked Z/A Williams about possible penalties for this non – compliance. Z/A Williams stated that the Township could issue a Civil Infraction possibly as much as \$100.00 / day. Z/A Williams reported he has had no return contact from Mrs. Herd. A letter from neighbor, Karen Getz was read to the group by Chairman Ratajczak. The letter was in support of approval of the STR application though there was concerns raised by Ms. Getz.

Additional points of discussion included.

- Ballard reported there was a parking problem, causing a traffic problem on a blind curve.
- The yard fills up with as many as three campers, various other trailers, and they can have to park on the road.
- Newman expresses concern that there has been too much trash left out.
- Ballard reported they will fill the two trash bins and pile the rest (enough to fill 2 more bins), and their trash company will not pick up trash that is not in bins.

- Newman reported that it is neighbor Getz who picks up the leftover trash and puts it in the Herd's bin, and when those are full, neighbor Getz puts it in her own bin.

Section 7.05 – Site Plan Application Review

B. The Planning Commission shall have the responsibility and authorization to review and approve, disapprove or approve with conditions, the Site Plan in accordance with requirements of the zoning district in which the proposed use is located and all other applicable requirements set forth in this Ordinance. The Planning Commission shall further consider the following standards:

1. Whether the sewage disposal and water systems meet the applicable health and sanitary codes and ordinances.
2. Whether the location and nature of the use will not be in conflict with any principal permitted use of the district or neighborhood.
3. Whether the use will not create any major traffic problem or hazard.
4. Whether the use will not be any more objectionable to adjacent and nearby properties than would be any permitted principal use of the district by reason of traffic, noise, vibration, dust, fumes, smoke, odor, fire hazard, glare, flashing lights, or disposal of waste and sewage.
5. Whether the use will discourage or hinder the appropriate development and use of adjacent premises and the neighborhood.
6. Upon approval of the site plan, the master deed and by-laws for condominium projects shall become part of the site plan; consequently any later changes to these documents relating to the use of the property itself will be considered a change to the site plan and have to be approved by the Planning Commission.
(N/A)
7. The proposed site plan shall be consistent with the general principles and objectives of the Township's Master Plan.

The Planning Commission did not find any objections to the standards outlined in Section 7.05.

Chairman Ratajczak asked for a motion to approve the STR application. Commissioner Wolf suggested adding conditions to the STR regarding a probationary/provisional approval. Conditions were placed on the application based on these recommendations to have ZA Williams follow up on this application to insure the conditions are being followed.

Chairman Ratajczak recommended the compliance must be measured with documented complaints to Animal control, Sherriff, etc. Ratajczak also requested photo documentation of the cause of the complaints ie. the trash pile.

Motion by Florip, supported by Ellis to approve the Site Plan as presented. Roll call vote and all were in favor.

Additional Discussion Regarding STR's:

Newman stated that we should monitor the STR's in a formal fashion. Also inquired about the list of STR's approved to date. Florip reported this program began on paper, and that these records are not computerized. The Township is reviewing the historical files for the information requested by Newman. we are seeking. Newman recommend we stay in contact with the STR owners periodically and restate the guidelines. Someone stated that this can be done in the newsletter that goes out with the tax bills. There was also discussion as to the transferability of the STR from owner to owner. Chairman Ratajczak stated that in the beginning of the STR program, we had a rather 'liberal' program. Wolf stated that 'Generous' may be a better term, also that when the STR program started, they were approving many applications every month. There was general discussion regarding the need to get a full report of active STR's and set up a better computerized system to keep track of these in the future. Z/A Williams states there is a move in Lansing to take this authority away from the Townships.

New Business:

- A. Proposed Zoning Ordinance amendment – Seasonal Cabins: Discussion Only.** Z/A Williams reported on his initial work regarding a proposal to define 'Seasonal cabins'. Williams defined a Seasonal Rental Cabin' as one without a kitchen or bath. This amendment proposal was initiated with a request by Mark Gabrick, regarding his property that he has two rental

travel trailers on. Gabrick stated he would like to replace the two trailers with two premanufactured cabins, to be delivered by truck. These buildings will be on skids, so they will be easy to move. Gabrick stated the two units would have inside kitchens, and shared 'bathhouse'. Z/A Williams stated that indoor plumbing, under his proposal can be allowed. Edwards questioned the density per acre., as did Chairman Ratajczak. Newman questioned this type of development, wondering, if it could eventually be broken up into individual cabins on smaller than the allowable lot size. Z/A Williams reported there are State Guidelines written, and the route is usually under the site condo rules. Florip reported both Paradise Hollow and Birch Glen have sold off the individual cabins. Chm Ratajczak and Wolf both had comments regarding this type of development in Forest Rec land vs. land zoned Agricultural. Newman feels the 4'3 acres Gabrick would like to develop is too small. Ballard stated that it is better to have better buildings replacing the old. Also stated that it is his opinion that a cabin with no foundation and no plumbing is not an upgrade over a self-contained travel trailer. No decision was made at this time regarding changes to the zoning ordinance for seasonal cabins. More research will be done by Williams with a follow up to occur at a later date.

B. Zoning Map Review: Z/A Williams reported previous Zoning Maps have been drawn for Almira Twp which are outside of what is considered good practice. At times the lines sometimes divide a parcel into two different zoning districts. Florip reported, as an example that some of the parcels on Pearl Lake are residential at the front of the lot, facing the lake, and Forest Rec at the back of the lot. Z/A Williams reported this can be handled when we rewrite the zoning Map as part of the Master Plan rewrite. Chairman Ratajczak asked Wolf if his company can enlarge the map. Wolf stated his company, Signplicity could print them out 'banner size'. Newman suggested an overlay of the Plat Map, so we can get a better understanding of the situation. Chairman Ratajczak asked Wolf to proceed with this.

Extended Public comment: None

Commissioner comment: Ballard thanked all for their comments, as the discussion phase is when we, as good Planning Commissioners ask the tough questions, and input is needed from all.

Chair comment: None

Adjourn: 8:30 pm