

TYRONE TOWNSHIP PLANNING COMMISSION

MEETING MINUTES

August 13, 2013

PRESENT: Mark Meisel, Dave Wardin, Cam Gonzalez, Deb Lee.

ABSENT: Mike Wood, Brenda Wehrli, and Ron Puckett

OTHERS PRESENT: Tyrone Township Planner Sally Hodges, Zoning Administrator Vanessa Bader and 2 residents.

CALL TO ORDER: 7:00 p.m. by Chairman Meisel

PLEDGE OF ALLEGIANCE:

CALL TO THE PUBLIC:

APPROVAL OF THE AGENDA:

Gonzalez moved to approve the meeting agenda as presented. (Lee seconded.)
The motion carried by unanimous voice vote.

APPROVAL OF THE MINUTES:

Lee noted line 142 - "as" should be "is"

Gonzalez moved to approve the meeting minutes from July 9, 2013 as amended. (Wardin seconded.)
The motion carried by unanimous voice vote.

CORRESPONDENCE: None.

Gonzalez moved to suspend the order of business to address the residents' applications since one was in attendance. (Lee seconded)

NEW BUSINESS #1: Request by Gordon Plummer for an accessory structure over 800 sq ft
Zoning Administrator Bader reviewed the application information.

Chairman Meisel noted it met the setback and height requirements. Since the applicant was not in attendance, he questioned the exterior material being used. He would like to see the materials being or not being used noted on the site plan. There was discussion to not allow sheet metal similar to what is used in a commercial setting.

Planner Hodges agreed saying the height (including the header) and the materials should be listed so it is clear. She also questioned the materials used for the access drive and that Livingston County might require something for drainage.

The slope of the property was discussed and it was agreed to make a condition on approval that the applicant maintain the existing drainage pattern.

Wardin mentioned there appeared to be existing buildings and they would need to be removed. The Zoning Administrator commented that the one is a car port type structure currently used to

cover the fifth-wheel. That will be coming down since it will be parked in the proposed new building.

Gonzalez moved to table the item until after the public hearing. (Wardin seconded)
Motion carried by unanimous voice vote.

NEW BUSINESS #2: Request for a home occupation (FFL license) for Donald Turnipseed
The applicant stated he needed local approval to get Bureau of ATF approval for gun sales mainly through the internet and gun shows.

Chairman Meisel questioned whether testing of guns, or if ammunition would be manufactured, on site, applicant said no. The only ammunition on the property would be personal. This FFL license is for a fire arms dealer and limited gunsmith activity.

It was mentioned that he would have customers coming to the residence. Planner Hodges said the ordinance does not allow customers. The applicant stated the Bureau of ATF requires direct person to person contact when transferring guns. There was discussion on whether this should be allowed.

The regular meeting was recessed for the Public Hearing on a proposed 926 sq ft accessory structure in the R-1 district.

CALL TO ORDER: 7:33 p.m. by Chairman Meisel

READING OF THE PUBLIC NOTICE: This was waived as the resident in attendance did not require it.

CORRESPONDENCE: None

REVIEW OF APPLICATION FOR GORDON PLUMMER TO ALLOW A 926 SQ FT ACCESSORY STRUCTURE IN THE R-1 DISTRICT

COMMENTS FROM THE PUBLIC: Resident Paul Phelps was in favor. He recently received approval for a similar structure. Although it has not been built yet, he is looking forward to having a building large enough to store larger outdoor equipment/vehicles inside.

COMMENTS FROM THE COMMISSION: None

COMMENTS FROM THE PLANNER: None

The Public Hearing was closed at 7:37 p.m. and the regular meeting was resumed.

NEW BUSINESS #2: Request for a home occupation (FFL license) for Donald Turnipseed
Continued

The applicant expects to sell about 8-10 units in a "good" month.

There was discussion on allowing customers at the home. Commissioner Gonzales encouraged entrepreneurship and would like his business to do well. Chairman Meisel agreed and felt there

needs to be a balance between the business endeavor but also recognizing the Township does not want to promote commercial business activity in a residential area.

It was agreed to compromise on an average of 12 customers a month and the applicant could come back to the Zoning Administrator and discuss the possibility of increasing the amount if the business is requiring more than that.

Wardin asked if he would have any gun in stock at the home. The applicant said a few and he is required to have a gun safe that the ATF monitors.

Chairman Meisel reviewed the check list of ordinance requirements provided by the Zoning Administrator and commented the applicant was very thorough and provided very good detail in his drawings.

Gonzalez moved to approve the home occupation with the following conditions: (Wardin seconded)

- That the applicant obtain the FFL license
- There is no manufacturing
- There is minimal inventory
- No ammunition stored on site
- Allow an average 12 customers per month at the residence
- Guns will be stored per ATF requirements

Motion carried by unanimous voice vote

Lee moved to remove New Business #1 from the table. (Gonzalez seconded)

Motion carried by unanimous voice vote.

NEW BUSINESS #1: Request by Gordon Plummer for an accessory structure over 800 sq ft
Continued

Chairman Meisel noted there were no comments from neighbors and none were in attendance.

There was discussion regarding site conditions, materials of the structure and the access drive due to the applicant not in attendance and able to answer questions.

Wardin moved to allow the 926 sq ft structure with the following conditions. (Lee seconded)

- Add materials to be used and the height of the header on the site plan for the Land Use Permit.
- Describe driveway materials on the site plan if it will be improved.
- Maintain a building elevation per Livingston County Standards.
- Maintain the existing drainage pattern.
- Remove existing accessory buildings.

OLD BUSINESS #1: Review comments from our attorney regarding the proposed Medical Marijuana Ordinance.

Chairman Meisel reviewed the attorney's comments. The attorney suggested we change certain definitions to simply referencing the State Act so that if and when it changes, we will not have to update our Ordinance. Chairman Meisel made those changes.

Discussion regarding allowing caregivers in the Rural Estate district as was mentioned at the public hearing. It was decided to leave the RE district out of allowable districts.

The attorney commented that it might be special treatment to require this permit to be renewed each year. Commissioner Wardin mentioned the Extractive permit is renewed each year so this instance would not be unique.

The last sentence of the Letter B. Purpose. was deleted. In Letter L. "home occupation" was replaced with "operation" as this is not classified as a home occupation.

Chairman Meisel also made changes to allow qualified patients who reside with a primary caregiver to consume on site, per public hearing comments. A severability section was also added.

OLD BUSINESS #2: Final revisions to the proposed amendments to the Zoning Ordinance. Planner Hodges reviewed changes to the definitions per Livingston County Planning recommendations to reference the "Ordinary High Water Mark" when determining setbacks.

Discussion on "incidentals" for accessory structures. Removed the reference to a four foot setback as those structures should still be 50 feet from the ordinary high water mark. It was decided all structures should still meet all setback requirements.

Planner Hodges also made a bulleted list showing under what conditions a nonconforming building could be extended, per Livingston County Planning recommendations.

Gonzalez moved to recommend to following amendments to the Livingston County Planning Commission for formal review and comment. (Lee seconded)

- Accessory Structures Consolidation
- Antenna Regulations
- Nonconforming Building Extensions
- Cemetery Districts
- Medical Marijuana Ordinance

Motion carried unanimously by voice vote.

Moved by Lee to recommend approval of the above amendments to the Township Board. (Gonzalez seconded)

Motion carried by unanimous voice vote.

ADJOURNMENT: The meeting adjourned at 9:50 p.m.

NEXT MEETING: September 10, 2013 - Regular Meeting

Respectfully submitted by:
Vanessa Bader, Zoning Administrator