**HOMESTEAD INLAND JOINT PLANNING COMMISSION – SPECIAL MEETING**

**January 15, 2020**

**6:00PM**

**HOMESTEAD TOWNSHIP HALL**

**1. Call to order** by Chair Sandman

a) Pledge of Allegiance was recited

b) Roll Call

Present: Vice Chair Clark, Member Sterling, Member Macchioni, Member Mead, Member Miller, Chair Sandman, Member Thomas, Member Turmel. Absent: Member Durkee

**2. Agenda**

***Motion*** made by Clark to approve the Agenda as presented second by Miller.

Ayes – Clark, Sterling, Macchioni, Mead, Miller, Sandman, Thomas and Turmel

Nays – None Absent: Durkee Motion approved

**3. Public Input –** 6:02 p.m.

Public Input was given by: Nadia Moehle, David Moehle, Darryl Milarch, Greg Kindig, Michelle, Amy Moehle, Jim Brouwer, Rudy Heckman, Thomas Kostrzeor and Peggy Case regarding the Turtle Lake Campground Minor Site Plan Review.

Member Durkee arrived at 6:26 p.m.

**4. Close Public Input** - 6:45 p.m.

**5. Purpose of Special Meeting**

**a.** Minor Site Plan Review – Turtle Lake Campground 08-029-003-02

Mr. Bonney was invited to address the Commissioners regarding adding 61 additional sites. We are also heavily regulated by the State and Health Dept. and other agencies.

Clark – site count was originally 217, with what is there now I come up with 312 sites.

Applicant – the sites were never renumbered

Clark – according to the internet there are 1280 permanent residents in Frankfort, if you had 4 people per site that will give a total of 1225 people.

Miller – you own the property? Wondering what provisions we have about cutting trees.

Applicant – Yes we own it. We were approved for the stump fence.

Durkee – What are the setbacks? You are away from the lake with your septic?

Applicant showed the commission members the map with setbacks and septic.

Macchioni – This shows proposed for water and sewer?

Applicant – Yes.

Turmel – Measurement for the house to the property and meets the setbacks?

Applicant – Yes.

Clark – are these holding tanks?

Applicant – the existing gravitates into holding tank to pumps to header manifold to disperse into pipes to the drain field. Showed the members where the proposed tanks will be.

Turmel – what is the history of the permits? Curious to see what has been permitted in the past and what it looks like now.

Applicant explained his permits that he has received; he did not have them on hand.

Miller – internet tower that was put up, people around the lake did not want to see it. The berm fence, the prior Z.A approved it and said it would satisfy the needs.

Applicant – went over this when approved and what was done. The stumps are done.

Turmel – How much room for the horses?

Applicant – showed the horse arena and surrounding area. The horses that are kept there are personal horses not campers.

Miller – concerned with the air quality from camp fires, is there something we can put in the guidelines to limit campfires? There is also a concern regarding traffic and safety.

Kopriva - If it is a condition with one of the standards it can be.

Turmel – These are all RV sites?

Applicant – yes they are full hook ups. Traffic can be taken care of for the safety of the children.

Miller – is there a horse washing area?

Applicant – Turtle Lake is a State Lake, it is out of our control and the Townships. Testing has been done for water quality.

Thomas – How many horses do you pasture on a regular basis, because the farm act requires 2 acres per horse?

Applicant stated that he has 7 – 8 horses and does have the required acreage.

Durkee – How are the roads taken care of, by the County?

Applicant – We take care of the roads as well as the County.

Miller – Are there State requirements for the size of each site?

Applicant – yes, something like 30x40 per spot per camper, we are running 40x50.

Miller – size, 61 new sites, make less and make more pasture area. Concerned with overcrowding. Curious if others want to put this on hold.

Sandman – What information would you like?

Kopriva – Site plan reviews do not require notification of property owners within the area. You need to request the information you want from the applicant tonight. The township has already agreed that this is an appropriate use of the property and the Commission has to approve it if it meets all the requirements.

Clark – Concerned with the number of additional people affecting the septic and water quality. Can we ask EGLE for information?

Kopriva – Yes we can find out more information from EGLE.

Clark – Proposed to postpone

Miller – Need more time to read the information.

***Motion*** made by Miller to postpone the decision until we receive more information from EGLE on the environmental concerns listed second by Clark.

Ayes – All Nays – None Motion carried

Applicant stated that he has heard everyone’s concerns.

Recess at 7:25 p.m.

Reconvene at 7:32 p.m.

**b. Public Hearing –** Rezoning Request 08-003-007-~~30~~  20 to change from RR to C1

CJ Land Management was asked to address the Commissioners. They stated that when they bought the property it was commercial but were never informed when it was changed to RR.

Public comment:

Ingrid Andrews addressed the Commission stating that she and her mother are the occupants of property bordering this piece of property requesting rezoning. Her property has been a horse farm since about 1987. Borders the pasture, fencing has been replaced and have some trees. Landmark Excavating owned it and then divided. Our issues have been not many, just noise and people at the fence line, posted no trespassing signs along the border. If it is made commercial there will be no way of knowing what commercial building will be coming in. The concern is with increased traffic around the border. Zoning Ordinance Section 10.5b states that there is to be 150 feet of frontage for commercial, there is no road to it.

Five points she would like noted:

1. Special use permit issued in 2005
2. land divisions stating is was residential
3. Realtors description contains errors and the parcel number is incorrect the 30 should be a 20.
4. Appraisal submitted as commercial
5. Previous owner obtained a special use permit in 1997 for building on the property while it was 4.5 acres.

Discussion between Commission and Applicants:

Durkee – Zoning discrepancy?

Kopriva – It does matter how it happened, this is the map we have to follow moving forward. Focus on the future.

Miller – There are 2 different acreages on this, 3.65 then 4.25.

Applicant– What about the future master plan?

Kopriva – No designations were changed. Applicant provided that information.

Discussion where the property is actually located.

Applicant - Future master plan

Kopriva – no changes were made.

Macchioni – What is on the property now?

Applicant - 40x60 pole barn machine shop.

Sandman – What would be the difference be for you if rezoned?

Applicant – When we got financing it was Special Use for light industrial use. The bank financed it but it is commercial property. If zoned residential it can’t be there.

Kopriva – It is an existing non-conforming property. Don’t focus too much on what is there. Required to having 200 ft. for RR and Commercial is 150ft. We have no control over the easement.

Ingrid – Easement is for utilities not for driving. One acre lots can over burden the easement.

Durkee – Was it commercial when you bought the property?

Ingrid – I don’t know.

Applicant – It was split prior to purchase.

Mead – Does it have to go to Homestead Board as well?

Kopriva – Yes.

No standards in our ordinance so we are using what the attorney has provided.

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Rezoning factors:

1. Is the proposed rezoning reasonable consistent with surrounding uses?

7 yes 2 no

1. Will there be an adverse physical impact on surrounding properties?

3 yes 6 no

1. Will there be an adverse effect on property values in the adjacent area?

2 yes 7 no

1. Have there been changes in land use or other conditions in the immediate area or in the community in general which justify rezoning?

9 yes 0 no

1. Will rezoning create a deterrent to the improvement or development of adjacent property in accord with existing regulations?

2 yes 7 no

1. Will rezoning grant a special privilege to an individual property owner when contrasted with the other property owners in the area or the general public (i.e. will rezoning result in spot zoning?

1 yes 8 no

1. Are there substantial reasons why the property cannot be used in accordance with its present zoning classification?

0 yes 0 no

1. Is the rezoning in conflict with the planned use for property as reflected in the master plan?  
    1 yes 8 no
2. Is this site served by adequate public facilities or is the petitioner able to provide them?  
    9 yes 0 no
3. Are there sites nearby already properly zoned that can be used for the intended purposes?

9 yes 0 no

In considering the foregoing, it is important to recognize that the considerations are general in nature, may overlap somewhat, and that there may be other factors not listed. When pondering the above questions, the decision maker must also give due consideration to:

* 1. The general character of the area in which the subject property is located
  2. The property itself and its attendant physical limitations and suitability to particular uses
  3. The general desire to conserve property values
  4. The general trend and character of population development

The community should evaluate whether other local remedies are available.

The decision maker should not focus on any one concern among the various factors to be taken into consideration when passing upon a rezoning request.

(Prepared by: Young, Graham & Wendling, P.C., Attorneys at Law, P.O. Box 398, Bellaire, MI 49615, 231.533.8635)

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***Motion*** made by Clark recommend approval to the Township Boards to rezone the property to C1 based on the rezoning factors and would meet the considerations a – d second by Huffman

Ayes – Durkee, Sandman, Miller, Thomas, Sterling, Huffman and Mead

Nays – Turmel and Macchioni Motion carried.

Sara Kopriva, Zoning Administrator, will forward the results to the townships.

Public Hearing closed at 8:30 p.m.

Was received by the following:

Jim Brouwer regarding the next meeting.

**7. Announcements**

Sara Kopriva – gave the Commissioners an MTA handout regarding conflict of interest.

There has been nothing received from the gravel pit. Monday’s meeting will be cancelled

Attorney is also looking at what will happen if it is not finished before the split.

Motion made by Miller to adjourn the meeting second by Clark.

Meeting adjourned at 8:37 p.m.

Submitted by Rose A. Wirth, Recording Secretary