

**Gun Plain Charter Township
Planning and Zoning Commission
Minutes of June 21, 2017**

Members present; Shannon, Kellogg, Bennett, Webber
Absent; Simons, Lee, Vance

Motion by Shannon 2nd Bennett to approve the minutes of May 17, 2017
Approved

Motion by Shannon 2nd Webber to approve the Agenda with changes to New
Business add #3 Rezone request for 357 6th St. and to Old Business-Solar
Ordinance add #166 Approved

Public Comment-no

New Business

1. Public Hearing/Special Land Use-Gun River Skeet and Trap Club

Motion by Shannon 2nd Bennett to close regular meeting and open the public
meeting. Approved

We reviewed the plans and pictures.

Motion by Shannon 2nd Bennett to close the public meeting and open the regular
meeting. Approved

Motion by Bennett 2nd Shannon to approve the request for a Special Use Permit
for Gun River Skeet and Trap Club, Parcel # 03-08-018-022-00, to build a
16'x60' covered shelter as they have met the Standards for Granting a Special
Use (attached). Approved

Motion by Shannon 2nd Bennett to close the regular meeting and open the public
meeting Approved

2. Public Hearing/Special Land Use-Consumers Energy-Substation on Miller Rd.

Motion by Shannon 2nd Bennett to table this until the July 19th meeting.
Approved

3. Rezone request for 357 6th St, Parcel # 03-08-027-015-00

Motion by Shannon 2nd Bennett to bring this off the table. Approved

Motion by Shannon 2nd Bennett we recommend that the Gun Plain Township
Board of Trustees deny the request for a rezone from R-2 to R-1 of Parcel # 03-
08-027-015-00 located at 357 6th St., owned by Alex Schut. This would create a
non-conforming use; it is located next to a large neighborhood and many of the
residents are opposed. Approved

Continued
P&Z 6-21-2017

Motion by Shannon 2nd Webber to start the process to rezone parcels #03-08-030-015-20, #03-08-030-015-30, #03-08-030-015-40 and #03-08-030-015-00 from R-3 to C-2 with the provision to update the Future Land Use Map. Approved

Old Business

FEMA-still waiting

Medical Marihuana-Public Meeting September 12 at 7:00 with the Gun Plain Township Trustees.

Solar Ordinance-Read through for any errors and address at the July 19th meeting.

Home Occupations-still waiting

Ordinance #165 Church Zoning

Motion by Shannon 2nd Bennett to submit Ordinance #165 to the Gun Plain Township Board of Trustee for approval to amend the Gun Plain Township Zoning Ordinance to allow churches in all districts. Approved

Communications, Other Business, Public Comment and Board Comments-no

Zoning Administrator

Discussion about a few homeowners along the Gun River experiencing erosion and a possible petition to require all landowners along the Gun River to pay for this, also some residents have been approached by Wind Towers.

Motion by Webber 2nd Bennett to adjourn. Approved

D.Webber

D. Planning Commission Determination.

Following the public hearing, the Planning Commission shall review the application for the special land use permit, together with the public hearing findings and reports and recommendations of Township staff, consultants and other reviewing agencies. The Planning Commission is authorized to deny, approve, or approve with conditions, requests for special land use approval. Such decision shall include the standards relied upon, finding of fact, conclusions, approval or denial, and conditions, if any, attached to the approval.

Performance guarantees may be required by the Planning Commission, in accordance with Section 22.02, to insure compliance with special approval conditions.

E. Standards for Granting Special Use Approval.

Approval of a special land use permit shall be based on the determination that the proposed use will comply with all requirements of this ordinance, including site plan review criteria set forth in Chapter 20. In addition, the following standards shall be met:

1. The location, scale, and intensity of the proposed use shall be compatible with adjacent uses and zoning of land. *YES*
2. The proposed use shall promote the use of land in a socially and economically desirable manner. The proposed use shall not adversely impact the social and economic well-being of those who will use the proposed land use or activity; residents, businesses, and landowners immediately adjacent; or the Township as a whole. *YES*
3. The proposed special land use shall be compatible with and in accordance with the general principles and future land use configuration of the Gun Plain Charter Township Master Plan and shall promote the intent and purpose of this Ordinance. *YES*
4. The Planning Commission shall find that a need for the proposed use exists in the community at the time the special land use application is considered. *YES*
5. The proposed use shall be designed, constructed, operated and maintained so as to assure long-term compatibility with surrounding land uses. Consideration shall be given to:
 - The size, placement, and materials of construction of the proposed use in relation to surrounding uses.
 - The location and screening of vehicular circulation and parking areas in relation to surrounding development.
 - The location and height of buildings; the location, nature and height of walls and fences; and the nature and extent of landscaping.

- The location and screening of outdoor storage, outdoor activity or work areas, and mechanical equipment in relation to surrounding development.
- The hours of operation of the proposed use. Approval of a special land use may be conditioned upon operation within specified hours considered appropriate to ensure minimal impact on surrounding uses. *YES*

6. The location of the proposed special land use within the zoning district shall minimize the impact of the traffic generated by the proposed use. Consideration shall be given to the following:

N/A

- Proximity and access to major thoroughfares.
- Estimated traffic generated by the proposed use.
- Proximity and relation to intersections.
- Location of and access to off-street parking.
- Required vehicular turning movements.
- Provision for pedestrian traffic.

YES

The proposed special land use shall be consistent with existing and future capabilities of public services and facilities affected by the proposed use.

YES

8. The proposed use shall not involve any activities, processes, materials, equipment, or conditions of operation, and shall not be located or designed so as to be detrimental to public health, safety, and welfare. Site layout shall be such that operations will not be objectionable to nearby dwellings by reason of noise, fumes, glare or flashing lights.

YES

9. The proposed use shall be compatible with the natural environment.

F. **Recording of Planning Commission Action.** Each action taken with reference to a special land use proposal shall be duly recorded in the minutes of the Planning Commission. The minutes shall record the findings of fact relative to each special land use proposal, the grounds for action taken, and any conditions imposed in conjunction with approval. All records of proceedings shall be kept on file and made available to the public.

G. **Effective Duration of Special Use Approval.** Special use approvals shall run with the owner/operator granted permission and may be issued for specified periods based upon the impacts of the proposed use to surrounding property. The sale, transfer or conveyance of the property on which the special land use is located shall nullify the special use approval. Any new proposed owner or operator shall be required to submit and be approved by the Township Planning Commission for a new special use permit in order to continue said operation or activity

H. **Amendments to Special Land Uses.** When an application is received to expand or change the use, traffic pattern, or other elements of a special land use, the application shall be subject to the same procedures followed for an original special approval of land use. The denial of an application to amend an existing Special Use Permit shall not nullify or cause to prohibit the