

**SHIAWASSEE COUNTY
PLANNING COMMISSION BOARD MINUTES
AUGUST 28, 2013**

CALL TO ORDER: Vice Chair William Thelen called the August 28, 2013 Shiawassee County Planning Commission to order at 7:00 P.M. within the County Board of Commissioners' meeting room located on the first floor of the Surbeck Building, 201 N. Shiawassee Street, in Corunna.

ROLL CALL: Present: William Thelen, Henry W. Martin III, Glenn Love Jr., Bonnie Ott, and Robert Ebmeyer. Absent: Don Dickmann. Also present: Linda Gene Cordier/Zoning Administrator and County Commissioner Robert McLaren.

EXCUSED ABSENCE: Cordier stated Dickmann was out of town and unable to attend. Chair Thelen called for a motion to excuse Dickmann. **Motion:** Ebmeyer moved to excuse Don Dickmann from the meeting. **Support:** Ott. **Motion carried: 5 ayes, 0 nays.**

PLEDGE OF ALLEGIANCE: Chair Thelen led the Pledge of Allegiance.

PROOF OF PUBLICATION: Cordier informed the Chair that the legal notice was placed within the Independent on Sunday, August 11, 2013. Chair Thelen declared the meeting legally noticed.

APPROVAL OF AGENDA: **Motion:** Ott moved to approve the agenda as printed. **Support:** Love. **Motion carried: 5 ayes, 0 nays.**

APPROVAL OF BOARD MINUTES: **Motion:** Love moved to approve the July 24, 2013 board minutes as printed. **Support:** Ebmeyer. **Motion carried: 5 ayes, 0 nays.**

BOARD OF COMMISSIONER COMMENTS: Commissioner Robert McLaren informed the board that the Finance Committee of the Board of Commissioners would start working on the 2014 budget very soon and other than that he had nothing new to bring forward.

OLD BUSINESS:

Applicant/Owners – DeAnn M. & Frank J. Markva, 7494 E. Prior Road, Durand, MI

Site Location – 7494 E. Prior Road, Durand, MI,

Tax Id. – 78-012-32-100-001-06, Section 32, Vernon Township

Zoning District – A-2, Agricultural Production/Rural Residential

Ordinance Reference – Section 4.3.43 (Kennels, Commercial)

Postponed from April 24, 2013, May 22, 2013, and July 24, 2013

Chair Thelen stated that the public hearing was held on the request in April and that there had been additional discussion taken at the May and July public hearings and asked if the board wished to have additional discussion before he called for a motion.

Ott replied she felt that there should be at least a short discussion on the request before taking action. Ott continued noting that it had been tabled due to the board seeking additional information or detail that had been missing.

Chair Thelen agreed and noted that since the July hearing, staff received confirmation from the Animal Control Officer (Deputy Kirt Stechshulte) approving Ms. Markva for a commercial

kennel within a portion of the basement of her home. Thelen then read Deputy Stechshulte's letter:

"Linda:

After doing a brief kennel inspection at DeAnn Markva's residence (7494 E. Prior Rd.), I came to the conclusion that the property is going to make a very nice kennel.

The dogs will be held down in the basement only when needed.

The kennel system is professional grade and will hold 20 dogs without any problems.

The basement has a good drainage system.

The food is kept dry in a container system.

The backyard is completely fenced in and the dogs will have free roam of the house when the owners are home.

I feel that giving Markva a kennel license is the appropriate decision. After seeing the conditions that the dogs are kept in, I know that Markva will keep her dogs healthy and safe.

Deputy Kirt Stechshulte
Shiawassee County Sheriff's Office
Animal Control
1042 North Shiawassee Street
Corunna, MI 48817
(989) 743-2406"

Chair Thelen called for additional board comment.

Martin replied that his main concern was with the health and safety of the people residing within the home and not just for the health and safety of the dogs. After reading the review of the Animal Control Officer's site visit he felt the board was in a position to move forward with the application. Martin asked if the board wanted to add a condition that Markva be permitted to raise and house only small dogs similar to the type of dog she now has and did the board want to consider a yearly inspection be done.

Chair Thelen commented on the yearly inspection and limiting the size of dog that could be kept. Thelen noted the Zoning Ordinance currently doesn't limit the type of breed to a commercial kennel. Brief discussion continued.

Cordier read aloud a 2006 special land use permit for a commercial kennel that had been granted in 2006 within Vernon Township to a Deborah Wisely. Discussion followed.

Chair Thelen called for a motion.

Motion: **Bonnie Ott** moved to approve the Special Land Use Permit/Final Site Plan request for a commercial boarding kennel as submitted by DeAnn Markva to be located on property as legally Described in Section 32 of Vernon Township (Parent Tax Id. 78-012-32-100-001-06) based on the following reasoning and conditions:

Reasoning:

1. Subject to the conditions provided below, it is found that the petitioned special land use meets the general standards as provided for in Article 12 of the Ordinance.
2. Subject to the conditions provided below, it is found that the petitioned site plan for a

commercial kennel meets the general standards as provided for in Article 14 and specific use standards set forth under Section 4.3.43.

3. Additional reasoning as presented by the Planning Commission.

Conditions:

1. Provide information as noted by this staff report as having not been provided for on the site plan or in supplemental information.
2. Compliance with the provisions of the Zoning Ordinance shall be determined by the Community Development Director prior to the issuing of permits or authorization of construction of the petitioned use.
3. No more than twenty (20) dogs shall be permitted on the premise at any time.
4. All landscaping implemented in the last five (5) years shall remain in place, or replaced if dead or damaged, for the life of the special land use permit.
5. A yearly inspection report sent to the Community Development Department staff from the Animal Control Officer.

Support: Glenn Love Jr.

Roll Call: Ayes to Approve: Henry W. Martin III, Robert Ebmeyer, Glenn Love Jr., Bonnie Ott, and William Thelen. **Nays: None. Motion carried: 5 ayes, 0 nays.**

NEW BUSINESS: None.

COMMITTEE REPORTS:

Ordinance Revision – Martin reported the committee did not meet this month.

Future Planning – Love reported the committee did not need to meet in August.

Gravel Committee – Thelen stated the committee will be working with staff to scheduled site inspections in September and October.

Land Division – Thelen stated the Ordinance Revision committee may wish to review the maximum lot size regulations again for possible changes.

COMMUNICATIONS RECEIVED: Cordier stated staff did not receive any additional correspondence.

DIRECTOR'S COMMENTS: Ott informed the board that she had talked with Chris Newell (Technology Services) with respect to use of the County's WI-FI during Planning Commission hearings. Ott stated she would be willing to bring her lap top to the public hearings for use. They would be able to Google various sites and project it on the wall for everyone to view.

Cordier stated that the fifty (50) day review period by the townships with respect to the proposed Text Amendment to the County Zoning Ordinance on WECS (Wind Energy Conversion Systems) would be up the latter part of September. She had heard from one township stating that due to the township board member's summer vacations their board wouldn't be able to review and make a recommendation within the fifty (50) day time frame. Cordier stated that would be the only pending item for the September hearing unless the board wished to cancel the hearing.

Chair Thelen moved to cancel the September 25th, 2013 County Planning Commission public hearing.

PUBLIC COMMENTS: Martin asked County Commissioner McLaren about the recent newspaper article that indicated the County Administrator (Margaret McAvoy) had taken a position in Isabella County. Commissioner McLaren stated he was unable to comment at this

time as it hadn't been officially handled by the Board of Commissioners. McLaren stated he did want to comment that this board does a very good job. It is evident that this board cares about the county and community.

ADJOURNMENT: **Motion:** Love moved to adjourn the public hearing. **Support:** Ott.
Motion carried: 5 ayes, 0 nays. Meeting adjourned at approximately 7:32 P.M.

Recording Secretary - Linda Gene Cordier

Don Dickmann, Chairman
Shiawassee County Planning Commission

October 23, 2013
Approval Date of Board Minutes