

**LINCOLN CHARTER TOWNSHIP
PLANNING COMMISSION**
Regular Meeting & Public Hearings
September 12, 2022

Chairman Mike Freehling called the regular meeting and public hearings of the Planning Commission to order at 6:00 p.m. on Monday, September 12, 2022 in the meeting room of the Municipal Building, 2055 West John Beers Road, Stevensville, Michigan 49127.

CALL TO ORDER

ROLL CALL

Present: Mike Freehling, Charlie Olszewski, Andy Barbott, Marc Florian, Chris Miller and Tony Korican.
Absent: Glenn Youngstedt.
Also present: Building Official James Pheifer, and Recorder, Jacqueline Ross and Judy Lang.

ADJOURNMENT TO PUBLIC HEARING

**LINCOLN CHARTER TOWNSHIP
PLANNING COMMISSION**
Public Hearing
September 12, 2022
6:00 p.m.

PURPOSE OF PUBLIC HEARING

To consider an application by **Angela Rhodes** for a special land use permit to operate a Day Care, Group. Located at 1811 Hacienda Drive, Stevensville, MI 49127 on parcel number 11-12-2980-0007-00-0 on approximately 0.5 acres. The site is located in the LD-Low Density Residential Use District which allows a Daycare, Group by special land use permit pursuant to Article 9, Section 230.921 of the Township's Zoning Ordinance.

AFFIDAVITS OF POSTING, MAILING, AND PUBLISHING on file.

PRESENTATION

Angela Rhodes, applicant for the special use permit, noted that she is running a family-oriented program. Her husband is a Lakeshore Graduate and a special education teacher and coach for Lakeshore school district. She has worked for First Church of God Preschool part-time. Her and her husband wanted to provide child care and sold their house on Acorn Drive and bought the home on Hacienda and renovated it so the daycare could be located on the main floor in large room at the front of the home. The daycare is open Monday, Wednesday, and Fridays, 8:30am until 11:30am. It is a small group. She is still seeking her Michigan state license and looking for her Township special use permit to operate a group daycare.

PUBLIC COMMENTS

Dave Sudhoff – 1820 Hacienda Dr. – no opposition at all; drop off is easy and efficient and no one blocking the street during drop off.

Richard Emrich – 1804 Hacienda Dr. – No opposition, no noise from home except children playing.

CLOSE PUBLIC COMMENT SESSION

CORRESPONDENCE

None.

SESSION FOR COMMISSION TO ASK QUESTIONS AND ADDRESS THE CHAIRMAN ON THE PETITION

ADJOURNMENT TO THE REGULAR MEETING

**LINCOLN CHARTER TOWNSHIP
PLANNING COMMISSION
Regular Meeting
September 12, 2022
Immediately following Public Hearing**

ADDITIONS TO AND APPROVAL OF THE AGENDA

None.

APPROVAL OF MINUTES

Olszewski, seconded by **Korican** motioned to approve the minutes of the regular meeting on August 8, 2022 as e-mailed. No discussion. All Ayes. Motion carried.

DEPARTMENT OF BUILDING SAFETY

The Department of Building Safety, year to date has issued 20 permits for single family dwellings, last year there were 29. For the month of August 2022 there was 1 permit issued for single family dwellings. For the month of August 2021 there were 7 permits issued for single family dwellings.

At this time last year, house construction values alone totaled \$9,329,924. This year they are at \$8,462,283.

In 2021, total construction (building, electrical, mechanical, plumbing) permits for Commercial, Industrial, Agricultural and Residential districts estimated total values were at \$17,256,430. In 2022, total construction values are at \$17,455,681.

In the month of August were 335 inspections made on (building, electrical, mechanical, plumbing, and rentals).

NEW BUSINESS

To consider an application by **Angela Rhodes** for a special land use permit to operate a Day Care, Group. Located at 1811 Hacienda Drive, Stevensville, MI 49127 on parcel number 11-12-2980-0007-00-0 on approximately 0.5 acres. The site is located in the LD-Low Density Residential Use District which allows a Daycare, Group by special land use permit pursuant to Article 9, Section 230.921 of the Township's Zoning Ordinance.

Freehling reviewed the special use standards and reviewed the additional special use standards for a Group Day Care and concurred with the commissioners that the applicant has met the standards and the use would not be detrimental. **See attachments A & B.**

Korican inquired about State License approval and **Rhodes** said that she had submitted her application in May but had not heard back yet from the State.

Freehling asked if the operation would continue to run as operated or if **Rhodes** would be making any changes. **Rhodes** said no changes to the hours or the number of children is planned.

Freehling asked **Rhodes** if the hours were limited to the current schedule or if they would they change in the summer. **Rhodes** said that in the summer she had offered Tuesday, Wednesday, and Thursdays 8am to 5pm; most children were picked up by 3pm. **Rhodes** said this option may not be available next summer. She has considered offering Monday – Friday, but she is not yet ready to do that.

Florian said this is a great asset for the community and noted the support of the neighbors. He is still unsure of the hours of operation as what is written on the application is different from what **Rhodes** was stating for the summer hours. **Florian** asked again what the hours of operation were. **Rhodes** replied the hours of operation were Monday, Wednesday, and Fridays 8:30am – 11:30am.

Rhodes noted that if it is better to be approved for Monday through Friday 8am – 5pm she would do that.

Freehling said the applicant originally proposed Monday, Wednesday, Friday and hours 8:30 – 11:30am. He then moved forward for approval for the current request, but **Rhodes** may want to come back with a new amended application for different hours if she decides to expand operating hours.

Rhodes was not looking to continue summer hours next year.

Olszewski asked if the State License had hours spelled out and if the hours were the same as on the township application. **Rhodes** responded that they were.

Florian asked if the fence surrounding the property is the correct size and if it is opaque?

Rhodes replied yes; it is chain link and the correct height.

Freehling then asked for a motion.

Florian, seconded by **Barbott** motioned to approve the special land use permit to operate a Day Care, Group as submitted. No discussion. All Ayes. Motion carried.

UNFINISHED BUSINESS

A. Follow up on Air BNB houseboats.

Florian said the matter is more of a sentence change and that this has been on the agenda for three months.

Freehling said he will follow-up with Attorney **Dienes**.

B. Research Sub-Committee Report.

Olszewski had nothing further to report until next meeting.

PUBLIC COMMENTS

Chris Malich – 5316 Washington Ave – stated he had an ordinance violation in June for a travel trailer and stated parts of the ordinance. Three weeks he had the trailer out and got a violation letter from the Township. He couldn't believe how many others had a similar issue. He felt harassed by the Township enforcement officer and said he understands the ordinance and why it is necessary, but St. Joseph township doesn't have an outdoor storage ordinance. **Malich** understands that we need ordinances. He is concerned about his neighbor's fence. He contacted the Township twice regarding the neighbor's fence that has pickets missing and nothing was done. Someone calls in and reports his 2021 trailer which he feels is not bringing down property values. Fences in dis-repair or un-mowed lawns should be more of an issue. He asked for any recommendations from the commission. He made a comment that Lincoln Township in Clare County Michigan has an ordinance that allows recreational vehicles and watercraft storage from Memorial Day to Labor Day.

Charles Lukas – 3255 Chicago Path – **Charles** wanted to follow up on the rental correspondence from last month. He wants to volunteer his services to help get it done and asked how he can help the township with the rental ordinance. After a general discussion **Freehling** appointed a committee of **Florian**, **Miller** and **Olszewski** to investigate possible amendment to rental ordinance

Theodore Tomazewski – 2255 Shiawasee Lane – had an improved surface put in prior to 2008 ordinance after he had received an outdoor storage violation letter from the Township. He sold his camper and then later purchased another and tried to use on previously approved surface which is now in violation of the current ordinance. He perceives that outdoor storage detracts from property values, but wants to know if there can be a season for parking recreational vehicles in the driveway. Moving his vehicle now causes ruts in grass and is more of an eye sore.

Freehling asked that the residents to give reasons why they disagree with ordinance.

Malich said he has a corner lot so he technically has two front yards. He feels the ordinance is very limiting. "What does it hurt having a camper in your driveway?"

Freehling said the ordinance prohibits parking in the front yard or driveway. That includes recreational vehicles, boats, trailers and commercial vehicles. A resident has 48 hours to park in driveway for loading and unloading.

Florian unsure what Mr. Malich's exact situation is; he might have a great trailer and someone else has a terrible one parked out front. Or you could have trailers on either side of you and blocking neighbor on both sides. Then there are snow mobiles trailers and others to consider.

Florian empathized, but currently there is not a better solution. I am open to suggestions but Memorial Day to Labor Day is not the solution.

A general discussion continued with Mr. Malich regarding his prior statements and questions regarding Recreational Vehicle parking.

Dale Bishop – 1481 Glenwood – said he is moving because of the ordinance. He likes to camp 15 times a year and doesn't have enough time to get camper prepped under the current ordinance. It takes three days to get the refrigerator cold. Can't we have a permit to park in the driveway? He has received notices on his camper. He questioned when the ordinance came on the books.

Freehling said that in 2008 the entire zoning ordinance was updated.

Bishop asked how many people were involved in the rewrite?

Freehling went through the public process to update the ordinance. The ordinance change process followed standard requirements, public hearings and postings. Malich continued to ask questions about the outdoor storage ordinance and whether the planning commission would pursue the issue further. Mr. Malich was told he was welcome to propose some language for consideration. But at this time the planning commission did.

CORRESPONDENCE

None.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:09p.m.

The next regularly scheduled planning commission meeting will be held on October 3, 2022 at 6:00 p.m.