

**MARION TOWNSHIP PLANNING COMMISSION  
AGENDA AND MINUTES**

November 25, 2014 @ 7:00 p.m.

- CALL TO ORDER:
- PLEDGE OF ALLEGIENCE:
- INTRODUCTION OF MEMBERS:
- APPROVAL OF AGENDA FOR: *November 25, 2014 Regular Meeting*
- APPROVAL OF MINUTES FROM: *October 28, 2014 Regular Meeting*
- CALL TO THE PUBLIC:
- PUBLIC HEARING:
  - 1) *Proposed amendments to Section 6.07 Accessory Uses and Structures & 3.02 Definitions*
- OLD BUSINESS:
  - 2) *Proposed amendments to Section 6.07 Accessory Uses and Structures & 3.02 Definitions*
- NEW BUSINESS:
  - 1) *Annual Organizational Meeting*
- CALL TO THE PUBLIC:
- ADJOURNMENT:

**MINUTES - NOVEMBER 25, 2014**

- MEMBERS PRESENT:** JERRY SIDLAR, CHAIR  
CHERYL RANGE  
LARRY GRUNN  
BOB HANVEY  
CHARLIE MUSSON
- MEMBERS ABSENT:** NONE
- OTHERS PRESENT:** ANNETTE MCNAMARA, ZONING ADMINISTRATOR  
JOHN ENOS, CARLISLE/WORTMAN, ASSOC

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**CALL TO ORDER**

Jerry Sidlar called the meeting to order at 7:02 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Cheryl Range asked to have Sunridge Phase II traffic study discussion added to the agenda and motioned to approve the agenda as amended. Bob Hanvey seconded. **Motion Carried 5-0.**

**INTRODUCTION OF MEMBERS**

The members of the Planning Commission introduced themselves. All were present.

**CALL TO THE PUBLIC**

Jerry Sidlar opened the call to the public.

No response.

Jerry Sidlar closed the call to the public.

**APPROVAL OF MINUTES**

**October 28, 2014 Regular meeting minutes**

Cheryl Range motioned to approve the October 28, 2014 minutes as submitted. Larry Grunn seconded.

**Motion Carried 5-0.**

**PUBLIC HEARING**

**Section 6.07 Accessory Uses and Structures & definitions**

Jerry Sidlar opened the call to the public.

No public comments were heard.

Jerry Sidlar closed the call to the public.

**OLD BUSINESS**

**Section 6.07 Accessory Uses and Structures & definitions**

Bob Hanvey told the Planning Commission members that he went through the assessing records to find square footage totals for agricultural building within Marion Township. There were approximately 160 parcels listed and twenty of them exceeded 2,400 square feet. These numbers do not account for structures listed as garages. Bob Hanvey thinks 200

parcels or 8% of improved parcels would have structures that fall under the nonconforming status if the Planning Commission members placed a cap of 2,400 square feet for accessory structures.

Jerry Sidlar asked Annette how much it would cost a resident to apply for a special use permit for a large accessory structure, if that was the direction the Planning Commission would go.

Annette McNamara told the Planning Commission members there would be a \$500.00 fee and up to \$5,000.00 in escrow money.

Bob Hanvey doesn't think it is fair to place a 2,400 square foot cap on accessory structures, a two acre lot can have the same size structure as a ten acre parcel. In general outdoor storage is not viewed as acceptable by neighbors. If the issue is a business being run out of large structures, the impact can be enforced. If a business is being run and no one complains, that speaks volumes.

John Enos said that rural communities do not have a maximum size, it is based on a sliding scale, and larger parcel equals larger structures. Regarding the use of the large structures, enforcement is the answer. If it becomes an issue, then Marion Township can address it. Residents with large parcels have equipment to tend to the parcel and recreational vehicles to use on the parcel.

Bob Hanvey questioned what the governmental interest is, the purpose for setting the numbers.

The Planning Commission members discussed requesting variances to allow a larger structure and the lack of practical difficulty, large structures on farms that are divided.

The Planning Commission members agreed to amend the language as follows.

1. Keep parcels equal to or less than 1.5 acres at 1,200 square feet
2. Parcels equal to or greater than 1.5 acres at .030 times the parcel size
3. Item #2 be deleted
4. Item #4 change 'locater' to 'located'
5. Item #7 delete 'be constructed' and replace with 'receive a certificate of zoning compliance'
6. Item #9 to read; Accessory structures under 200 s.f. do not require a land use permit or building permit and must meet zoning district setbacks and maximum size requirements

Cheryl Range motioned to amend Section 6.07 to reflect changes discussed tonight and send Section 6.07 & 3.02 to the Board of Trustees for preliminary approval. If the Board of Trustees members do not have significant comments, the amendments can be forwarded to the Livingston County Department of Planning for review and approval. Jerry Sidlar seconded. **Motion Carried 5-0.**

Les Andersen, 4500 Jewel Road; asked John Enos about a large structure on Cedar Lake Road that is up for sale. The parcel has a large accessory structure on it. Can Marion Township divide the parcel and create a nonconforming structure?

John Enos said it isn't a good idea to create nonconforming structures. There can be a provision in the Land Division General Ordinance that would prohibit the division.

### **Sunridge Phase II Traffic Study**

The Planning Commission members reviewed the traffic study submitted by the developer and discussed the problems with requiring the proposed by-pass road. The developer would like to use the existing site plan for Phase II, the problem is the site plan has timed out and if there is a possibility of creating a special assessment district to pay for a by-pass road.

Bob Hanvey noted the number of REU's associated with the parcel and the back taxes that need to be paid. If the developer was allowed to use the existing plan, Marion Township would not be left with unusable REU's and unpaid taxes.

John Enos believes it would be in Marion Township best interest to have Spicer Engineering review the traffic impact study and make comments to the Board of Trustees. Discuss the timed out site plan issue with Mike Kehoe to find out what options are available. This is a relatively low number of units. He feels it would be best to get the Board of Trustees comfortable with the PUD process and move forward.

### **NEW BUSINESS**

#### **Annual Organizational Meeting**

Larry Grunn nominated Jerry Sidlar for Planning Commission Chair. Cheryl Range seconded. **Roll Call; Charlie Musson – yes, Cheryl Range – yes, Bob Hanvey – yes, Jerry Sidlar – yes, Larry Grunn - yes. Motion carried 5-0.**

Jerry Sidlar nominated Larry Grunn for Planning Commission Co-Chair. Cheryl Range seconded. **Roll Call; Charlie Musson – yes, Cheryl Range – yes, Bob Hanvey – yes, Larry Grunn – yes. Motion carried 5-0.**

Jerry Sidlar nominated Cheryl Range for Planning Commission Secretary. Larry Grunn seconded. **Roll Call; Charlie Musson – yes, Larry Grunn – yes, Bob Hanvey – yes, Jerry Sidlar – yes. Cheryl Range - yes.**

**Motion carried 5-0.**

#### **CALL TO THE PUBLIC**

Jerry Sidlar opened the call to the public.

Greg Durbin, 4389 Sundance Crossing, asked John Enos if the condition of the bridge is less than adequate, does Marion Township have the ability to tell the developer he needs to make off-site improvements.

John Enos said he wasn't sure how far Marion Township would get with the request. Maybe Marion Township and the

Livingston County Road Commission could work with the developer to make sure the safety of the residents is being met. Les Andersen, 4500 Jewell Road, asked John Enos if Marion Township could ask the developer to make a commitment to a special assessment district during the Phase II discussions, the commitment to create a special assessment district once phase III is under site plan review?

Bob Hanvey answered, there are only two parcels within the proposed special assessment district and both are owned by the developer.

Jerry Sidlar closed the call to the public.

**ADJOURNMENT**

Cheryl Range motioned to adjourn the meeting at 8:15 p.m. Jerry Sidlar seconded. **Motion carried 5-0.**