

**EATON COUNTY
PLANNING COMMISSION MEETING
March 5, 2019**

Call to Order: Brian Ross, Chair of the Eaton County Planning Commission, called the meeting to order at 7:00 p.m. in the Board of Commissioners Room, Eaton County Courthouse, 1045 Independence Blvd., Charlotte, MI.

Pledge: The Pledge of Allegiance was given by all.

Roll Call: Brian Ross, Blake Mulder, Tammy Halsey, Tim Catron, John Little, Barbara Rogers, Ben Tirrell, and Jeana Rohrs

Absent: Jack Owens

Staff Present: Claudine Williams and Brandy Hatt

Agenda Approval: A motion was made by **Commissioner Rogers** to approve the agenda for the March 5, 2019 meeting. **Commissioner Catron** supported. Motion carried.

Minutes Approval: A motion was made by **Commissioner Mulder** to approve the January 8, 2019 minutes as printed. **Commissioner Halsey** supported. Motion carried.

Public Comments: Mr. Steve Stanton requested to divide parcel 070-026-300-602-00 which has a Conditional Use Permit for a communications tower. Mr. Stanton stated the parcel is currently thirty-eight acres; they would like to divide it so the communications tower has five point six acres. He stated there may be a party interested in the parcel; he was informed the division would need to be approved by the Planning Commission due to the Conditional Use Permit.

Commissioner Rogers asked if the communications tower is located off from Shance Highway. Ms. Williams said yes. Ms. Williams recommended the Planning Commission amend the agenda if they would like to render a decision on the request.

Commissioner Mulder moved to amend the agenda to add the request for land division for parcel 070-026-300-602-00 to other business. **Commissioner Little** supported. Motion Carried.

CU-5-17-8: Request by Adam and Haley Auvenshine for a Change of Conditions for an existing Conditional Use Permit which allows for the operation of a Commercial Recreation Facility (venue rental for events) as defined in Section 5.3.3 C of the Ordinance at 2181 E. Vermontville Hwy., Sec. 21, Benton Township. Specifically, this request is for an addition onto the existing building.

Staff Report: Ms. Williams read the staff report and Site Plan Review Response from Eaton County Road Commission into record.

Applicant Statement: Mr. Adam and Mrs. Haley Auvenshine stated they would like the proposed additions to their existing building to be approved. They stated they are under the impression from the Eaton County Road Commission they need to obtain a driveway permit. Mr. and Mrs. Auvenshine explained they obtained a permit when they installed the driveway, but just found out they were issued the wrong permit. They said the driveway was constructed to code; they just need to pay the additional seventy dollars to obtain the commercial driveway permit. Mr. Auvenshine stated they would like to use their facility and have everything all in house, but to do so they need to bring it up to code, which includes the size of the bathrooms and ADA compliance. He stated they are looking forward to having the bathrooms installed, being compliant and enjoying their hard work. Mr. Auvenshine stated this has been a process; he would like to get his permits.

Commissioner Halsey stated parking has already addressed and asked about the bathrooms. Mr. Auvenshine stated the men's and women's bathrooms are required to be ADA compliant; their original plans did not meet these requirements, therefore they needed to change their drawings.

Commissioner Mulder asked if they intended to have a sign for the business. Mr. Auvenshine said yes and stated it will be complaint and will be added to the site plan. **Commissioner Mulder** asked Mr. and Mrs. Auvenshine if they have a clear idea of what the Eaton County Road Commission requirements are for their driveway. Mr. Auvenshine said yes, they have been working with Mr. Matt Hannahs of the Eaton County Road Commission. Ms. Auvenshine stated they may have to widen the drive two feet. Mr. Auvenshine stated the driveway was thirty feet wide, but has overgrown a bit. He added they already have a culvert and do not require curb and gutter because their driveway is gravel. **Commissioner Mulder** stated he wants to make sure they go in to this with their eyes wide open; increasing the width of the driveway may require a deceleration lane to be added. **Commissioner Halsey** stated they may need to adjust the width of the driveway. Mr. Auvenshine stated the driveway is currently twenty-eight feet wide; it needs to be thirty feet wide. He stated they installed the driveway two years ago.

Commissioner Halsey asked if they already have a sign for the business. Mr. Auvenshine said yes.

Commissioner Ross invited any speaker in favor or opposition to the request to make public comment.

Speakers in favor: None

Speakers in opposition: None

Public hearing closed: 7:19 p.m.

Commissioner Cattron said he inspected the site and does not have an issue with the proposed additions onto the existing building. He stated he agrees with the Eaton County Road Commission about the driveway. He said he parked on the shoulder of the road and cars were flying by him.

Commissioner Tirrell stated he does not see an issue with the proposed additions. He suggested the Zoning Ordinance Committee discuss these types of businesses in the future.

Commissioner Cattron moved to approve CU-5-17-8 (Adam and Haley Auvenshine) for a Change of Conditions to an existing Conditional Use Permit for operation of a Commercial Recreational Facility(venue rental for events) as defined in Article 5 of the Ordinance at 2181 E. Vermontville Highway, Sec. 21, Benton Township;

1. Applicant must obtain a Commercial Driveway permit from Eaton County Road Commission for their driveway. They shall work with the Eaton County Road Commission to obtain proper approvals for the commercial driveway.
2. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Benton Township, Barry-Eaton District Health Department, Eaton County Construction Code Department, Eaton County Central Dispatch and Eaton County Drain Commissioner.
3. This Conditional Use Permit is granted to Adam and Haley Auvenshine for above described use only. It is not transferable per the Zoning Ordinance.

Commissioner Rogers supported. A roll call was taken with eight (8) voting aye and none (0) voting nay. Motion carried.

Other Business: Land Division request. Mr. Steve Stanton, Stanton's Auctioneers and Realtors, stated he would like to divide property located at 4185 Shance Highway, also identified as parcel 070-026-300-602-00 which has a Conditional Use Permit, CU-6-00-15.

Commissioner Ross stated he believes any change of the originally approved Conditional Use Permit is required to go through the Change of Conditions process. Ms. Williams stated that is what Mr. Stanton is here to get clarification on. Ms. Hatt reviewed the originally approved Conditional Use Permit for the communications tower located on the property. She stated the original applicant for the Conditional Use Permit was Unisite; however, the tower has since been purchased by American Tower Corporation. She added the lease area for the tower is a one-hundred foot by one-hundred foot area. Mr. Stanton stated the lease has been sold and changed hands and they are now trying to sell the property and would like to be compliant. **Commissioner Mulder** stated the proposed land division would need to go through the change of conditions process. He stated if they were to offer the property at auction, there is no guarantee the land division would be approved without going through the change of conditions process first. Ms. Williams read the last paragraph of the signed Conditional Use Permit into record. **Commissioner Ross** informed Mr. Stanton a Conditional Use Permit Change of Conditions Application would need to be submitted for review by the Planning Commission before the property can be approved for division. Ms. Hatt stated she would contact Ms. Kathy Stanton to get her the information and application.

Reports: Ms. Williams informed the Planning Commission they received the 2018 Planning Commission Annual Report in their packets. She explained the content of the report. **Commissioner Cattron moved** to send the 2018 Planning Commission Annual Report to the Eaton County Board of Commissioners. **Commissioner Rohrs** supported. Motion carried.

Ms. Williams informed the Planning Commission they have received a communication from the City of Eaton Rapids regarding their process of writing a Master Plan.

Ms. Williams stated Public Works and Planning Committee heard DCA-3-18-2 at their February 13, 2019 meeting. She stated they tabled a decision on the application to allow the Commissioners time to review the information. Ms. Williams stated Public Works and Planning will hear the application at their March 13, 2019 meeting.

Ms. Williams reported the Eaton County Board of Appeals meet this evening; they approved two variance applications. She stated the Board of Appeals also asked the Zoning Ordinance Committee to look at the setbacks for clear vision right-of-way areas. **Commissioner Ross** stated Commercial Recreational Facilities should also be added to the list of items for the Zoning Ordinance Committee to look at.

Upcoming Cases: Ms. Williams informed the Planning Commission there is one District Change Amendment Application to be heard at their April 2, 2019 meeting.

Commissioner Mulder and **Commissioner Rohrs** stated they are unable to attend the April 2, 2019 Planning Commission Meeting.

Public Comment: none

A motion was made by **Commissioner Rogers** to adjourn the meeting. **Commissioner Halsey** supported. The meeting adjourned at 7:35 p.m.