

**EATON COUNTY  
PLANNING COMMISSION  
September 6, 2022**

**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, Michael Hosey, Lisa Lawitzke, Bruce Porter, Barbara Rogers, Jim Mott, Ben Tirrell and Tim Catron

**Absent:** Zachary Dillinger

**Staff Present:** Claudine Williams and Brandy Miller

**Agenda Approval:** A motion was made by **Commissioner Hosey** to approve the agenda for the August 2, 2022 meeting. **Commissioner Mott** supported. Motion carried.

**Minutes Approval:** A motion was made by **Commissioner Mott** to approve the July 5, 2022 minutes as printed. **Commissioner Rogers** supported. Motion carried.

**Public Comments:** Mr. Eli Miller, 6201 Brick Highway, stated he would like to tear down his house and build a new one because of mold in his existing home. He stated he would like to get started with construction now. Ms. Williams explained Mr. Miller has a Conditional Use Permit for the operation of a home business on this property and has submitted an application for a Change of Conditions to be heard by the Planning Commission in October. She stated Mr. Miller asked if there was a way to speed up the process due to the mold in his home. Ms. Williams explained that in the past the Planning Commission has required a Change of Conditions Application be submitted when anything on the approved site plan changes. She said if the Planning Commission would like to discuss this request, they could do so under other business on the agenda. **Commissioner Ross** asked if a Change of Conditions requires a public notice. Ms. Williams said yes. Ms. Williams also clarified, the request is regarding the home, not the actual business location. **Commissioner Porter** asked Mr. Miller if he would like to demolish the home now. Mr. Miller stated they have bad mold issues in the existing house and would like to tear down and build new. **Commissioner Hosey** asked Mr. Miller if the mold is black mold. Mr. Miller stated he had it tested and was informed it is a step below black mold. He said his son had a rash from head to toe and the Doctor asked if there was mold in the house. **Commissioner Mott** asked Ms. Williams if a public notice is required because it is residential. Ms. Williams stated the house is considered part of the approved site plan for the business; historically, the Planning Commission has required all Conditional Use Permit holders to come back for review if anything on the site plan changes. She said perhaps an option would be to look at this particular situation as an emergent need; staff could look at everything to ensure it complies. **Commissioner Mott** asked Mr. Miller if he is still living in the home. Mr. Miller said yes; he added the proposed new home will still be within two-hundred feet of the business. **Commissioner Rogers** asked Mr. Williams if the Planning Commission can approve his request due to the circumstances. Ms. Williams stated we are under public comment, if the Planning Commission would like to discuss further and make a motion, it would be best to move the discussion to other business. **Commissioner Ross** stated the Planning Commission should discuss the request conceptually; he does not want decisions made tonight to have ramifications in the future. **Commissioner**

**Tirrell** asked Mr. Miller when he was planning to construct his new home. Mr. Miller stated he would like to start now. **Commissioner Rogers** moved to hear Mr. Miller's request under other business. **Commissioner Mott** supported. Motion carried.

### **Public Hearings of Conditional Use Permit and District Change Amendment Applications:**

**CU-9-22-4:** Request by Danielle and Bryant Galbreath for a Conditional Use Permit to operate a Home Business (hair salon) per Section 14.13 of the Zoning Ordinance from 11801 Dorotha Drive, Section 12, Hamlin Township.

**Staff Report:** Ms. Williams read the staff report into record.

**Applicant Statement:** Ms. Danielle Galbreath offered to answer any questions. **Commissioner Hosey** asked Ms. Galbreath how many clients she would serve per day. Ms. Galbreath said maybe eight. **Commissioner Hosey** asked about the concerns of the Eaton Conservation District. Ms. Miller stated the concerns of the Eaton Conservation District are regulated by the Barry-Eaton District Health Department; she stated the Barry-Eaton District Health Department approved the request.

**Commissioner Mott** asked Ms. Galbreath if she would like a sign for the business. Ms. Galbreath stated she has not decided yet, as she does not take on new clients. **Commissioner Ross** asked if there is a sign on the site plan. Ms. Galbreath said no. Ms. Williams stated staff can assist Ms. Galbreath with adding a sign to her site plan if she would like to have one in the future.

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

**Speakers in favor:** None

**Speakers opposed:** None

**Public hearing closed:** 7:35 p.m.

**Commissioner Ross** asked if the residents located off from Dorotha Drive were notified. Ms. Williams said yes. **Commissioner Ross** stated those are the ones that would have to deal with the traffic.

**Commissioner Porter** stated the grades of the driveway are over the allowed amount. Ms. Miller stated Dorotha Drive is a private road, the driveways are not regulated. **Commissioner Porter** stated he has concerns regarding the grading of the driveway. He stated he can not approve the request with the grading as it is. He stated the former Eaton County Drain Commissioner, Brady Harrington had four engineers review the drainage requirements. **Commissioner Ross** stated this is a residential use. **Commissioner Porter** stated the requirements pertain to all construction in the county. **Commissioner Ross** stated he has never heard of the Drain Commissioner having the requirements Commissioner Porter is speaking of. Ms. Williams stated the Eaton County Drain Commissioner's Office was sent a copy of the application, the same as always, per the Zoning Ordinance Site Plan Review requirements. She said no response was received from that office. She added, the Site Plan Review form clearly states an agencies lack of response is considered an approval. **Commissioner Porter** stated the drainage requirements were approved for the county by the Eaton County Commissioners. **Commissioner Cattron** stated it is the Eaton County Drain Commissioner's job to enforce the drainage requirements, not the Planning Commission. **Commissioner Ross** stated the lack of response from the Eaton County Drain Commissioner's Office indicates they do not have a problem with the application.

**Commissioner Rogers** moved to approve **Conditional Use Permit CU-9-22-4** a request by **Danielle and Bryant Galbreath** to operate a Home Business (hair salon) per Section 14.13 of the Zoning Ordinance from 11801 Dorotha Drive, Section 12, Hamlin Township:

1. Requirements of all other local, state and federal agencies must be met, including but not limited to: Eaton County Road Commission, Barry-Eaton District Health Department, Michigan Department of Environment, Great Lakes and Energy, Eaton County Construction Code Department, Eaton County Central Dispatch, and Eaton County Drain Commissioner.
2. This Conditional Use Permit is granted to **Danielle and Bryant Galbreath** for the above-described use only. It is not transferable per the Zoning Ordinance.

**Commissioner Cattron** supported.

A roll call was taken with seven (7) voting aye, and one (1) voting nay. Motion carried.

**Other Business: Commissioner Ross** stated the Planning Commission needed to finish discussing the request of Mr. Eli Miller. Ms. Williams read Section 9.3.9, Conditions of Approval, from the Zoning Ordinance into record. **Commissioner Ross** stated the Zoning Ordinance sounds very clear to him. Ms. Williams asked what other members thought. **Commissioner Tirrell** read the definition of a home business into record. **Commissioner Cattron** stated he is concerned the Planning Commission may set a precedence if they approve the request. **Commissioner Ross** stated he does not want to sound insensitive, but he believes before the Planning Commission discusses changing the Zoning Ordinance, he would like the Zoning Ordinance Committee to look at it and discuss any ramifications. **Commissioner Mott** asked Ms. Williams if this request has been brought to the Planning Commission before. Ms. Williams said no. **Commissioner Ross** asked Ms. Williams if a motion is needed. Ms. Williams said no. **Commissioner Tirrell** stated he would like the Zoning Ordinance Committee to look into this issue for clarity moving forward.

Ms. Williams stated the Planning Commission has a proposed 2023 meeting schedule at their seats. She noted the July meeting is proposed for the second Tuesday of the month due to July 4<sup>th</sup> being on the first Tuesday of the month. **Commissioner Rogers** moved to approve the 2023 Planning Commission Meeting Schedule as written. **Commission Cattron** supported. Motion Carried.

**Communications:** Ms. Williams informed the Planning Commission they received a letter from Hamlin Township regarding updating their Master Plan. Ms. Miller read the letter into record.

**Reports:** Ms. Williams reported the Board of Appeals met this evening to discuss an application regarding the Narrow Lake Country Store.

**Master Plan:** Ms. Williams introduced Ms. Lauren Marshall from ROWE to discuss the progress of the Eaton County Master Plan Update. Ms. Marshall went over the time line for the Master Plan Update and explained the recommended long and short survey for stake holders and general public. Discussion was held regarding changes to the short survey and the best way to disperse the survey to gain the most feedback. Ms. Marshall also discussed the upcoming focus group meetings; what are they, who would be included, etc. She stated ROWE will be working with staff to get the meetings scheduled. The Planning Commission discussed the date for their Special Meeting in October. Ms. Williams said she believes the Planning Commission had decided last

month to hold Special Meetings on the fourth Tuesday of the month. She said she will confirm and email the Planning Commission.

**Public Comment:** None

**Upcoming Cases:** Ms. Williams stated there is one application to be heard at the October 4, 2022 Planning Commission Meeting.

A motion was made by **Commissioner Tirrell** to adjourn the meeting. **Commissioner Mott** supported. Motion carried.

The meeting adjourned at 9:06 p.m.