

1                                   **TYRONE TOWNSHIP PLANNING COMMISSION**  
2                                   **REGULAR MEETING & PUBLIC HEARING MINUTES**

3                                   **August 13, 2019 7:00 p.m.**  
4

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6   **PRESENT:** Mark Meisel, Dave Wardin, Kurt Schulze, Rich Erickson, Perry Green and Bill  
7   Wood

8  
9   **ABSENT:** None

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11   **OTHERS PRESENT:** Tyrone Township Planner Greg Elliott and Tyrone Township Planning &  
12   Zoning Administrator Ross Nicholson

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14   **CALL TO ORDER (7:00 pm):** The meeting was called to order by Chairman Mark Meisel.

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16   **PLEDGE OF ALLEGIANCE (7:00 pm):**

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18   **CALL TO THE PUBLIC (7:01 pm):**

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20   No public comments or questions were received.

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22   **APPROVAL OF THE AGENDA (7:02 pm):**

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24   Dave Wardin made a motion to approve the agenda as presented. Kurt Schulze supported the  
25   motion. Motion carried by unanimous voice vote.

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27   **APPROVAL OF THE MINUTES (7:03 pm):**

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29   Dave Wardin made a motion to approve the June 11, 2019 meeting minutes as amended (minor  
30   corrections). Kurt Schulze supported the motion. Motion carried by unanimous voice vote.

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32   **OLD BUSINESS #1 (7:04 pm): Gruber Land Division:**

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34   Chairman Meisel introduced the topic with a summary of the application. He indicated that a  
35   variance was granted for a reduced minimum lot area for proposed Parcel 1 by the Zoning Board  
36   of Appeals on June 10<sup>th</sup>, 2019. He stated that it had been previously requested of the applicant to  
37   have the land division drawings revised to make minor adjustments to the lot areas and widths  
38   for proposed Parcels 2 and 3 so that they meet the minimum lot area and width requirements for  
39   the R-1 (Single Family Residential) zoning district. He noted that said revisions had not yet been  
40   made to the drawings.

41  
42   Greg Elliott went through the review of the application he had previously prepared and  
43   confirmed that the boundaries for proposed Parcels 2 and 3 would still need to be adjusted in  
44   order to meet the minimum dimensional requirements for the zoning district. He commented  
45   that the proposed design of the shared private driveway would not meet the minimum design  
46   standards, however, these standards may be waived or modified by the Planning Commission if

47 deemed appropriate. The Planning Commission briefly discussed the proposed shared private  
48 driveway design and determined that it would be sufficient for the intended access.

49  
50 Dave Wardin made a motion to recommend Township Board approval of the Gruber Land  
51 Division application subject to Planning Commission acceptance of a revised drawing and  
52 maintenance agreement addressing all issues discussed, noting that the Planning Commission has  
53 waived the shared private driveway design standards. Kurt Schulze supported the motion. The  
54 motion carried by unanimous voice vote.

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56 *The item was closed at 7:25 pm.*

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58 *Dave Wardin made a motion to suspend the order of business, placing New Business Item #1*  
59 *above all other business items in consideration of the applicant in attendance. Kurt Schulze*  
60 *supported the motion. The motion carried by unanimous voice vote.*

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62 **NEW BUSINESS #1 (7:27 pm): Rock Church Site Plan Amendments:**

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64 Chairman Meisel stated that the Rock Church had previously received approval of a special land  
65 use permit for a new worship center at the northwest corner of Linden and Bennett Lake Roads,  
66 however, certain circumstances pertaining to the proximity of regulated wetland areas have led to  
67 the inability to erect the structure in the approved location. He explained that it is necessary to  
68 make significant changes to the site plan through a major amendment process since the entire  
69 application will need to be reviewed through the Township and all other agencies having  
70 jurisdiction before approval for a new location can be granted.

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72 *The item was temporarily closed at 7:30 pm.*

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74 *Chairman Meisel adjourned the regular meeting and opened the public hearing at 7:30 pm.*

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76 **PUBLIC HEARING #1 (7:31 pm): Rock Church Site Plan Amendments:**

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78 Chairman Meisel summarized the application and read the public hearing notice:

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80 *“Notice is hereby given the Tyrone Township Planning Commission will hold a Public Hearing*  
81 *on Tuesday, August 13, 2019, beginning at 7:30 pm at the Tyrone Township Hall, 10408 Center*  
82 *Road, Fenton, Michigan 48430. The purpose for the Public Hearing is:*  
83 *To receive public comments regarding a request by The Rock Church for a major amendment to*  
84 *the approved special land use site plan for the construction and operation of a new worship*  
85 *center, regulated by Zoning Ordinance #36 Section 22.05.D, Special Land Uses, located on a*  
86 *vacant parcel of land at the northwest corner of Linden and Bennett Lake Roads, Fenton,*  
87 *Michigan 48430, Tax ID 4704-06-200-008. The property is zoned RE, Rural Estate”.*

88  
89 Chairman Meisel opened the floor to receive public comments.

90  
91 Brenda Begue (Pressler St) asked if there were any plans for improvements to the road at the  
92 intersection of Bennett Lake and Linden such as widening the pavement. She also asked if the

93 proposed changes to the site plan would significantly impact the flow of traffic in the area.  
94 Chairman Meisel indicated that the Livingston County Road Commission (LCRC) has  
95 jurisdiction in that matter. He explained that the LCRC had reviewed the previous plans and  
96 performed a traffic study and indicated that they will likely conduct additional studies based on  
97 the revised proposal.  
98

99 Paul Phelps (Apple Orchard Dr) pointed to a specific location on the site plan and requested  
100 clarification on the size and location of a drainage culvert. Tom Atkins of E&L Construction  
101 Group (representing the Rock Church) provided clarification. Paul Phelps indicated that he had  
102 concerns regarding the proposed location of the septic field. Tom Atkins explained that the  
103 location currently proposed is the same as what had been previously approved, which has already  
104 been reviewed by and received preliminary approval from all agencies having jurisdiction.  
105

106 Earl Green (Apple Orchard Dr) asked Tom Atkins if there is any possible way to run a driveway  
107 from Bennett Lake Road to the proposed parking lot. Tom Adkins indicated that the proposed  
108 driveway locations were determined to be the most suitable.  
109

110 Chairman Meisel asked if there were any additional public comments or questions. None were  
111 received.  
112

113 *The item was closed at 8:10 pm.*  
114

115 *Chairman Meisel read the public hearing notice for the proposed Zoning Ordinance*  
116 *amendments:*  
117

118 *To receive public comments regarding proposed amendments to Zoning Ordinance #36:*  
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120 *Sign Regulations: Article 27 – Outdoor Advertising and Sign Regulations, to revise the standards*  
121 *and requirements for signs and outdoor advertising and to regulate with content neutrality;*  
122

123 *Home Occupations: Article 21, Section 21.14 – Home Occupations, to redefine review*  
124 *requirements for permitted home occupations, to update the list of permitted home occupations,*  
125 *to permit signs in certain cases subject to Planning Commission approval, and to redefine the*  
126 *space limits for home occupations;*  
127

128 *Noise Regulations: Article 21, Section 21.16 – Noise, to update fireworks regulations for*  
129 *consistency with PA 634 of 2018 and PA 635 of 2018, and to add clarification to enforcement of*  
130 *noise violations;*  
131

132 *Expansion or Extension of Nonconforming Structures: Article 26, Section 26.04.A.3 – Permitted*  
133 *Expansion or Extension, to clarify review and public hearing requirements for extension or*  
134 *expansion of nonconforming structures;*  
135

136 *Animal Units: Article 21, Section 21.28 – Stables and Animals, to revise the requirements and*  
137 *standards for keeping of animals that are not pets in the Farming Residential (FR), Rural Estate*  
138 *(RE), and Single Family Residential (R-1) zoning districts.*

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**PUBLIC HEARING #2 (8:10 pm): Sign Regulations:**

Chairman Meisel summarized the proposed sign regulation amendments to Article 27 of the Zoning Ordinance. The proposed amendments are intended to comply with the U.S. Supreme Court ruling on content-neutral regulations for signage.

No public comments were received.

*The item was closed at 8:14 pm.*

**PUBLIC HEARING #3 (8:14 pm): Home Occupations:**

Chairman Meisel summarized the proposed amendments to Section 21.14- Home Occupations, in the Zoning Ordinance. The proposed amendments would update the list of permitted home occupations, redefine the space limits and use of accessory structures, provide for administrative review of certain uses, and allow for limited signage where appropriate.

No public comments were received.

*The item was closed at 8:18 pm.*

**PUBLIC HEARING #4 (8:18 pm): Noise Regulations:**

Chairman Meisel summarized the proposed amendments to Section 21.16 of the Zoning Ordinance. The amendments are intended to update fireworks regulations for consistency with PA 634 of 2018 and PA 635 of 2018, and to add clarification to enforcement of noise violations.

Brenda Begue (Pressler St) asked if she witnesses violations of the fireworks regulations if she should contact the Livingston County Sherriff’s Department. Chairman Meisel indicated that violations occurring outside of Tyrone Township office hours should be directed to the Sherriff’s Department. A brief discussion followed.

No further comments were received.

*The item was closed at 8:35 pm.*

**PUBLIC HEARING #5 (8:35 pm): Expansion or Extension of Nonconforming Structures:**

Chairman Meisel summarized the proposed amendment to Section 26.04.A.3 of the Zoning Ordinance regarding expansion or extension of nonconforming structures. He explained that the amendment is intended to clarify review and public hearing requirements for extension or expansion of nonconforming structures.

No public comments were received.

185 *The item was closed at 8:37 pm.*

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187 **PUBLIC HEARING #6 (8:37 pm): Animal Units:**

188 Chairman Meisel summarized the proposed amendment to Section 21.28 of the Zoning  
189 Ordinance regarding animal unit calculations. He explained that the intent is to revise the  
190 requirements and standards for keeping of animals that are not pets in the Farming Residential  
191 (FR), Rural Estate (RE), and Single Family Residential (R-1) zoning districts.

192

193 A resident in attendance (name not stated) asked if the Township intends to loosen restrictions on  
194 the keeping of hens. Chairman Meisel explained that the intent is to allow for more precise  
195 calculation of animal units and allow for the keeping of hens, rabbits, and bees, on smaller lots  
196 than currently permitted.

197

198 No further questions or comments were received.

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200 *The item was closed at 8:44 pm.*

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202 *Chairman Meisel closed the public hearing at 8:44 pm.*

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204 **NEW BUSINESS #1 (8:45 pm): Rock Church Site Plan Amendments (Continued):**

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206 Dave Wardin stated that he had several questions and comments pertaining to the site plan. He  
207 pointed out that the site plan references a Tyrone Township Fire Department, which does not  
208 exist. He pointed out several concerns he had with the proposed drainage plan and made some  
209 recommendations. He indicated that the site plan was lacking any dumpster enclosure detail,  
210 which should be shown. Tom Adkins asked if it would be possible to relocate the dumpster to  
211 reduce the distance a garbage truck would need to travel into the site. Chairman Meisel  
212 explained that the dumpster location is negotiable as long as it is in a location which is  
213 adequately screened and does not create any significant nuisance factors. Dave Wardin pointed  
214 out several additional areas where additional detail should be added to the site plan including  
215 parking barriers/bumper blocks, snow storage area, site drainage, etc... Tom Adkins indicated  
216 that they would continue to seek the necessary agency approvals and make changes to the site  
217 plan.

218

219 Dave Wardin made a motion to table the Rock Church special land use amendment application  
220 to allow additional time for agencies having jurisdiction to complete their reviews and provide  
221 preliminary approvals consistent with the amended site plan. Perry Green supported the motion.  
222 Motion carried by unanimous voice vote.

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224 *The item was closed at 9:37 pm*

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226 **OLD BUSINESS #2 (9:37 pm): Disposition of Proposed Zoning Amendments:**

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228 Dave Wardin made a motion to recommend the proposed zoning amendments, as amended  
229 during the meeting, for Township Board approval and for review and comment by the Livingston

230 County Planning Commission. Rich Erickson supported the motion. All were in favor except  
231 Perry Green. Motion carried.

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233 *The item was closed at 9:51 pm*

234 **NEW BUSINESS #2 (9:52 pm): Appointment of Officers:**

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236 Perry Green made a motion to keep the existing appointments; Mark Meisel- Chairman, Kurt  
237 Schulze- Vice Chairman, and Dave Wardin- Secretary.

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239 Motion carried by unanimous voice vote.

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241 *The item was closed at 10:03 pm*

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243 **MISCELLANEOUS BUSINESS #1 (9:52 pm): August Workshop Meeting:**

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245 It was determined that a workshop meeting would not be held during the month of August, 2019.

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247 *The item was closed at 10:04 pm*

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249 *The meeting was adjourned at 10:05 pm.*