Bainbridge Township

Planning Commission Meeting

Minutes

JULY 19, 2021

The meeting was called to order by Chairman, Dale Kreitner at Bainbridge Township Hall, 7315 Territorial Rd, Watervliet, Michigan 49098 at 7:00pm.

ROLL CALL

**Present:** Dale Kreitner, Melissa Morlock, Don Baiers, Jim Doroh, Ron Bjies, Scott Bluschke, Dave Peden (also present Chad Yetzke, Alternate)
Absent: None

PUBLIC COMMENT:

OPENED 7:00pm CLOSED 7:01pm

NONE

APPROVAL OF MINUTES: 7:05pm

Motion by Ron Bjies / Scott Bluschke to approve Minutes May 17, 2021

Voice Vote: All in Favor

APPROVAL OF AGENDA: 7:06pm

The Township Supervisor, Rodney Winkel, introduced Jake Rushlowe, a staff member, from Representative Pauline Wendzel’s 79th District office. He provided some insight on Short Term Rentals and Airbnb’s from the state level.

Motion by Dale Kreitner to approve the agenda.

REPORTS: 7:19pm

Zoning Board of Appeals: None

Township Board: None

Building Inspector: None

BUSINESS:

Special Land Use: 7:20pm

Edmund Herr II, is located at 8830 Marl Rd, Eau Claire, MI 49111. Mr. Herr would like to open a small meat market, with the ability to harvest livestock off sight and at their farm and to directly sell to their customers. A Public Hearing will be scheduled for August’s Planning Commission Meeting.

Williams & Works: 7:29pm

Andy Moore spoke in light of Short-Term Rentals and Airbnb’s.

Discussion: 7:42pm

Chris and Sophia Berger, from Michigan Migrant Ministries are located at 4925 Territorial Rd. they presented the Planning Commission with a slide show, as well as a color-coded map of their camp property and are asking for guidance on how they can comply with the township, while planning to expand their business.

Zoning Amendment: 8:17pm

Motion to change Section 13.02, Board of Appeals; Powers and Duties, Line B, Appeals; Filing: add thirty (30) ~~sixty (60)~~ days (attached)

Dave Peden / Scott Bluschke Voice Vote: All in Favor

Motion to change Section 8.02 General, B, ~~twenty-five (25~~) thirty (30) percent of the ~~floor~~ living area, add according to current assessment records (attached)

Jim Doral / Ron Bjies Voice Vote: All in Favor

Motion to add Section 6.14, Off-Site Roadside Stand, Line B, must have a minimum lot size of two (2) acres. (attached)

Dave Peden / Scott Bluschke Voice Vote: All in Favor

Motion to add Section 5.12- Schedule of District Regulations, A, line 5, An unplatted right-of-way (shadow drive) with a minimum of sixty-six (66’) foot in width would be permitted for only one single-family home, on one individual parcel, subject to the minimum lot size, in accordance with Article XVIII (18), which complies with the requirements of this Ordinance and is recorded with the Register of Deeds as an easement over the parcel. Final site-plan approval by the planning Commission is required prior to any building permit being issued.

Dale Kreitner / Dave Peden Voice Vote: All in Favor

Correspondence: Township Calendar Update

ADJOURN: 8:32pm

Motion by Don Baiers / Scott Bluschke

Voice vote: All in Favor

Respectfully,

Secretary, Melissa Morlock

**SECTION 5.12 – SCHEDULE OF DISTRICT REGULATIONS**

**A. Additional regulations for Agriculture District (AG)**

1. One lot of at least two (2) acres with a minimum of one hundred and fifty (150) foot width at the road may be split from an existing lot of record existing at the effective date of adoption the Bainbridge Township Zoning Ordinance, (August 26, 2002) or any subsequent amendments thereto, as long as the remaining lot is a minimum of five (5) acres or more with (235) two hundred thirty-five feet frontage. All other lots split from an existing lot of record must follow the five acre (5) minimum lot size and frontage.
2. The height of a sign or building shall not exceed fifty (50) percent of the horizontal distance to the nearest residential district boundary.
3. All lots except those in platted subdivisions and Planned Unit/Cluster Developments shall meet all requirements of this Ordinance and shall in addition have frontage on a road equal to the minimum width in feet as provided herein.
4. Building or structure for the use of seasonal farm labor, shall be located a minimum of fifty (50) feet from the right-of-way line of a public road or any abutting residential district.
5. An unplatted right-of-way (shadow drive) with a minimum of sixty six (66’) foot in width would be permitted for only one single-family home, on one individual parcel, subject to the minimum lot size, in accordance with Article XVIII (18), which complies with the requirements of this Ordinance and is recorded with the Register of Deeds as an easement over the parcel. Final site-plan approval by the Planning Commission is required prior to any building permit being issued.

**Section 6.14 – Off-Site Roadside Stand**

1. Roadside Stands allowed in R-Ag Residential Agricultural, R-1 Single Family Residential, C Commercial, CA Commercial Agricultural, and AG Agricultural**.** A structure not to exceed 600 square feet, used or intended to be use solely by the householder, owner or tenant of the parcel and is considered part of a farm operation, on which such structure is located for the sale of fresh, seasonal farm products the majority of which are raised or produced on the parcel.
2. Farm Market allowed by Special Land Use Permit in AG Agricultural and CA Commercial Agricultural**, must have a minimum lot size of two (2) acres.** A “Farm Market” is a place or an area where transactions between a farm market operator and customers take place. At least fifty percent (50%) of the retail space used to display products offered for sale as a farm market (measured as an average over the farm market’s marketing season or up to a five-year time frame) must be produced on and by the affiliated farm. Farm products may be processed more extensively into a form that adds value and makes them more marketable for direct customer sales in accordance with Michigan laws, and then sold at the affiliated farm market, as long as allowed by local, state and federal regulations and at least fifty percent (50%) of processed products’ main ‘namesake’ ingredient is produced on and by the affiliated farm. A farm market may operate seasonally or year-round, where at least fifty percent (50%) of gross sales dollars of products sold are produced on and by the affiliated farm. Farm markets may include marketing activities and services to attract and entertain customers and facilitate retail trade business transactions, when allowed by applicable local, state, and federal regulations.

**Section 8.02 – General**

1. No person other than members of the family residing on the premises shall be engaged in such occupation unless waived by the Planning Commission as a condition of the Special Land Use Permit.
2. The use of the dwelling unit, for the Home Occupation shall be clearly incidental and subordinate to its use for residential purpose by its occupants, and not more than ~~twenty-five (25)~~ thirty (30) percent of the ~~floor~~ **living** area **according to current assessment records** of the dwelling unit shall be used in the conduct of the Home Occupation.
3. No exterior alterations, other than a permitted sign and those alterations required by law to ensure the safety of the structure and guests shall be allowed.
4. There shall be no change in the outside appearance of the building or premises or other visible evidence of the conduct of such Home Occupation other than one (1) sign not to sixteen (16) square feet and which shall have a ratio between height and width not greater than one (1) to three (3). Said sign may be mounted on the building or on a freestanding post or posts which shall be placed in accordance with existing setback regulations.
5. No traffic shall be generated by such Home Occupation in greater volumes than would be normally expected in a residential neighborhood, and any need for parking generated by the conduct of such Home Occupation shall be met off the street and other than in a required front yard.
6. No equipment or process shall be used in such Home Occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltage off the premises.

**Section 13.02 – Board of Appeals; Powers and Duties**

A. **Appellate Jurisdiction:** The Zoning Board of Appeals shall have the powers and duties to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this Ordinance.

B**. Appeals; Filing:** Appeals to the Zoning Board of Appeals concerning interpretation or administration of this Ordinance may be taken by any person aggrieved or by any officer or bureau of the governing body of the Township affected by any decision of the Zoning Administrator. Such appeals shall be taken within a reasonable time of the aggrieved action, not to exceed **thirty (30)** ~~sixty (60)~~ days, by filing with the Zoning Administrator and with the Zoning Board of Appeals a Notice of Appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Zoning Board of Appeals all papers constituting the record upon which the action appealed from was taken.