

**SPECIAL USE HEARING
BUTLER TOWNSHIP PLANNING COMMISSION
MEETING MINUTES -NOVEMBER 2, 2023**

CALL TO ORDER: Meeting called to order by Co-Chairperson Chris Parker. @ 7:00pm

PLEDGE OF ALLEGIANCE:

PLANNING COMMISSION MEMBERS PRESENT: Tom Waltke, Janis Olney, Jay Cole, Michelle Reed, Eileen VanVleet, Co-Chairperson Chris Parker. **PLANNING COMMISSION MEMBER ABSENT:** Doug Bracy.

OTHERS PRESENT: Zoning Administrator Matt Ashenfelter, Township Supervisor Gary Smith, Velma Cole, Gary and Linda Hammontree, Rod Olney, Sheriff John Pollock, Dog Warden Ernie Baker, Shenal Ries, Donald Ries, Anna F. Keim, Jenny German, J. Serin.

APPROVAL OF PREVIOUS MINUTES: Motion to approve minutes from August 17, 2023 meeting. J. Olney/T. Waltke. All in favor, motion passes.

CLOSE THE REGULAR MEETING: Motion to close the regular meeting, E. VanVleet/T. Waltke. All in favor, motion passes.

CALL SPECIAL USE MEETING TO ORDER: Motion to call Special Use meeting to order. C. Parker/E. VanVleet. All in favor, motion passes.

A. Mr. Graber's request: The purpose of this meeting is to approve or deny the request by Mr. Graber, 978 Clarendon, Rd. Quincy MI. Sidwell # 040-022-200-005-01, for land use of a Commercial kennel for dogs. This Special use Hearing meeting is just for approval for the permit.

B. Questions from the Planning Commission. None.

C. Questions from Public: Does he have adequate parking, **Yes.**

D. Mr. Graber response, he has appropriate lighting, day light hours only and will advertise by appointment only to view dogs. He will also have exercise area for the dogs. Has 10 dogs.

Question by Tom Waltke to Matt Ashenfelter, Was there anything out of line in his application.

Matt stated that he had met all requirements. This meeting is just to approve the land use for a kennel.

Please note information in section below, Chapter 12, section 12.05.

Township Attorney Lillis stated that "as far as I can tell, there is nothing that would allow the township to do other than grant the special use, unless there is something particularly unique about the land in question that would prevent the establishment of a kennel or boarding facility" This was read aloud by Jay Cole.

Attorney Lillis also stated that Commercial kennels and animal boarding establishments are permitted by special use. They are subject to the provisions of Section 16.12 of the ordinance:

Most of the comments by the public related to the care and upkeep of dogs and is not relative to the Special Use Request by Mr. Graber.

CLOSE THE PUBLIC PORTION OF THE MEETING: Motion to close public portion of the meeting. C. Parker/E. VanVleet, all in favor, motion passes.

A. Planning Commission debates Mr. Graber's request using chapter 12 & 16 as guidelines.

SECTION 16.12 KEEPING OF FARM ANIMALS AND OTHER ANIMALS.

The keeping, raising, or breeding of animals poultry or livestock, including farm animals and non-domestic animals and reptiles (except domesticated cats, dogs, canaries, parakeets, parrots, gerbils, hamsters, Guinea pigs, turtles, fish, rabbits, and similar animals commonly kept as pets) outside of AG or R-1 zoning districts shall be permitted, except as may be permitted by Special Use Permits in the R-2 and R-3 zoning districts and under conditions of public safety, comfort, convenience and quiet use of property imposed by the Township Planning Commission.

CHAPTER 12, SECTION 12.05 SPACED FOR COMMENTS

Each site plan shall conform to all applicable provisions of this Ordinance. The following criteria shall be used by the Planning Commission as a basis upon which site plans will be reviewed and approved. The Township shall adhere to sound planning principles, yet allow for design flexibility in the administration of the following standard.

1.All elements of the site shall be harmoniously and efficiently designed in relation to the topography, size and type of land, and the character of the adjacent properties and the proposed use. The site shall be developed so as not to impede the reasonable and orderly development or improvement of surrounding properties for uses permitted on such property

HAS MET REQUIRED STANDARD.

2.The site plan shall comply with the zoning district requirements

HAS MET REQUIRED STANDARD

3.The existing natural landscape shall be preserved in its natural state as much as possible, by minimizing tree removal and topographic modifications.

HAS MET REQUIRED STANDARD

4.The site plan shall provide reasonable visual and sound privacy

HAS MET REQUIRED STANDARD

5.All buildings or groups of buildings shall be so arranged as to permit convenient and direct emergency vehicle access.

HAS MET REQUIRED STANDARD

6.There shall be a pedestrian circulation system and pedestrian improvements may be required in the vicinity of schools, playgrounds, local shopping facilities, and other uses that generate considerable amounts of pedestrian movement.

N/A

7.All streets shall be developed in accordance with the Branch County Road Commission design specifications. The Arrangement of public or common ways for vehicular and pedestrian circulation shall respect the pattern of existing or planned streets or pedestrian or bicycle pathways in the vicinity of the site. Streets and drives that are a part of existing or planned street system serving adjacent developments shall be of an appropriate width to the volume of the of traffic they are planned to carry and shall have a dedicated right-of-way equal to that specified in a Township recognized source of reference. The applicant may be required to dedicate adequate land and improvements to the Township to achieve access which is safe and convenient.

N/A

8.Appropriate measures shall be taken to insure that the removal of surface waters will not adversely affect adjacent lots or the capacity of the public or natural storm drainage system.

HAS MET REQUIRED STANDARD

9.All off-street parking, loading, and unloading areas and outside storage areas, including areas for storage of trash, that face or are visible from adjacent residential districts or public throughfares shall be screened by walls, fencing or landscaping of effective height as required within the landscaping provisions of this ordinance.

HAS MET REQUIRED STANDARD

10.Adequate services and utilities including sanitary sewers, and improvements shall be provided, sufficient to serve the development.

N/A

11.Site plan approval may be conditioned on the applicant receiving necessary state and federal environmental and hazard permits before final site plan approval or an occupancy permit is granted.

N/A

12.An objective of site plan review shall be to protect the rural character of Butler Township and to promote public health, safety, and general welfare.

HAS MET REQUIRED STANDARD

13.It is an objective of site plan review to improve the quality of existing developments as they are expanded, contracted, redeveloped, or changed.

N/A

B. Approve, deny, postpone, or approve with conditions the request.

Motion by Tom Waltke to approve Mr. Graber’s request with the condition that he gets a kennel license.

ROLL CALL VOTE: T. Waltke, YES, Janis Olney, YES, Jr. Cole, YES, Michelle Reed, YES, Eileen VanVleet, YES, Chris Parker, YES. All in Favor motion passes. This permit is good for one year.

ADJOURNMENT OF THE SPECIAL USE MEETING. Motion to adjourn special use meeting, J. Olney/ T. Waltke, all in favor, motion passes.

ADJOURNMENT OF THE PLANNING COMMISSION MEETING. Motion to adjourn the Planning Commission meeting, E. VanVleet/T. Waltke. All in favor, motion passes.

Meeting adjourned at 7:50pm.

Respectfully Submitted:



Eileen R. VanVleet