

**Birch Run Township Planning Commission Special Meeting  
July 12, 2021 at 7:00 p.m.  
11935 Silver Creek Dr, Birch Run, Michigan 48415**

**Minutes**

The special meeting was called to order by Chairman CJ Norris at 7:00 p.m. with the Pledge of Allegiance to the Flag of the United States of America.

**Members Present:**

CJ Norris, Chair; Riley Kiessling, Vice Chair; Mike Marr, Secretary; Helen Morse, Fred Sheridan, Keith Jewel, Members; Corey Trinklein, Recording Secretary

**Members Absent:**

Motion by Marr, seconded by Sheridan to excuse Ed Munson.

PASSED: Motion carried by unanimous voice vote

**Others Present:**

Doug Piggott, Planner for Rowe Professional Services. One person was in attendance at this meeting.

**Approval of Meeting Minutes June 29, 2021 Special Planning Commission Meeting Minutes:**

Motion by Marr, seconded by Kiessling to approve the June 29, 2021 Special Planning Commission Meeting Minutes as presented.

PASSED: Motion carried by unanimous voice vote

**Public Hearing:** None Scheduled

**Old Business:**

1. Master Plan Review – Pre-Public Hearing Draft: Doug Piggott of ROWE Professional Services gave presentation regarding the Pre-Public Hearing Draft of the Master Plan.

2. Marijuana discussion regarding caregiver establishment regulations to protect the public welfare of the Community: Waiting for Township Board direction before continuing any further.

3. VRBO (Vacation Rentals by Owner): Waiting for the State of Michigan to make their decision regarding current legislation on this issue.

4. Wedding Barns: Motion by Sheridan, seconded by Kiessling to have Doug from ROWE look into the Rural Event Barn and write up an ordinance as stringent as possible with exceptions and options.

Ayes: Marr, Sheridan, Morse, Kiessling, Norris, Jewell

Nays: None

PASSED: Motion carried by unanimous roll call vote

5. Review Article 5: Revocation of SLU language: Will set public hearing date when Great Lakes Credit Union's drive thru public hearing gets scheduled.

**Open Discussion for Issues not on the Agenda:**

Public comments/correspondence received: No comments

Planning Commission Members: No comments

Members in the audience: No comments

**Reports:**

Township Board Representative (Fred Sheridan): No update at this time

Zoning Board of Appeals (ZBA) Rep. (Mike Marr): No update at this time

**New Business:**

1. Setting Public Hearing Dates: No public hearings scheduled at this time.

2. Drive-thru amendment from *Special Land Use* to *Use by Right* with standards: Have Doug look into lot coverage in the zoning ordinance; look into changing the drive-thru requirements from “Special Land Use” to “Use By Right”; and ATM drive-thru requirements.

**Other:** Mike Marr would like everyone to look at a document he brought with him regarding a request for a separate document for special land use permits. (Attachment A)

**Announcements:**

Township Board Meeting – 2nd Tuesday of each month (Next meeting July 13, 2021)

Planning Commission Meeting – Quarterly (Next meeting September 20, 2021)

ZBA – Semi Annual - 3rd Tuesday of April and October (Next meeting October 19, 2021)

DDA – Meetings are held as needed (Next meeting September 8, 2021)

*(All meetings are held in the Governmental Center unless noted)*

**Adjournment:**

Motion by Sheridan, seconded by Marr to adjourn at 9:09 p.m.

Motion carried by unanimous voice vote

Minutes respectfully submitted by:

Recording Secretary Corey Trinklein

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Mike Marr

Planning Commission Secretary

# Attachment A

**Metamora Township, Lapeer County, Michigan  
Special Land Use Permit  
Daniel Agnew/Victory Custom Trailer-- Outdoor Sales Lot**

An application was made by Daniel Agnew/Victory Custom Trailer on April 13, 2016. The application was for a Special Land Use Permit to allow an Outdoor Sales Lot at 3549 S. Lapeer Road. The property is zoned B-2 General Business District.

At their April 13, 2016 meeting the Planning Commission held a public hearing and approved a Special Land Use Permit to Daniel Agnew/ Victory Custom Trailer for property at 3549 S. Lapeer, tax parcels number 44-15-008-001-15. The Special Land Use Permit allows Mr. Agnew/Victory Custom Trailer to operate an Outdoor Sales Lot.

Now therefore the Planning Commission makes the following Findings of Fact, Conclusions and Conditions and hereby issues this Special Land Use Permit.

## **Findings of Fact**

The Planning Commission determines that the property is zoned B-2 and an outdoor sales lot is a permitted Special Land Use within that district provided compliance with the standards in Section 1431 of the Township Zoning Ordinance. This Special Land Use Permit is issued solely for the purpose of operating an outdoor sales lot.

On that basis, the Planning Commission is satisfied, based on the representations made by the applicant that satisfactory provision and arrangement has been made concerning the following, where applicable:

- A. The proposed special land use shall be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood and/or vicinity and applicable regulations of the zoning district in which it is to be located.
- B. The proposed use shall be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location of and access to off-street parking, and provisions for pedestrian safety.
- C. The location, size, intensity, site layout and periods of operation of any such proposed use shall be designed to eliminate any possible nuisance emanating therefrom which might be noxious to the occupants of any other nearby permitted uses, whether by reason of dust, noise, fumes, vibration, smoke or lights.
- D. The proposed use shall be such that the proposed location and height of building or structures and location, nature and height of walls, fences and landscaping will not interfere with or discourage the appropriate development and use of adjacent land and buildings or unreasonably affect their value.

- E. The proposed use shall relate harmoniously with the physical and economic aspects of adjacent land uses as regards prevailing shopping habits, convenience of access by prospective patrons, continuity of development, and need for particular services and facilities in specific areas of the Township.
- F. The proposed use is necessary for the public convenience at the proposed location.
- G. The proposed use is so designed, located, planned and to be operated that the public health, safety and welfare will be protected.
- H. The proposed use shall not cause substantial injury to the value of other property in the neighborhood in which it is to be located and will not be detrimental to existing and/or other permitted land uses in the zoning district.

In addition, the Planning Commission is satisfied, based on the representations made by the applicant that the request complies with the specific requirements for home occupations contained in Section 1431 of the Township Zoning Ordinance.

- A. All outdoor lighting shall be shielded from projecting onto or into an adjoining residential district and shall not interfere with driver visibility on a public right-of-way.
- B. There shall be no strings of flags, pennants or bare light bulbs permitted.
- C. No vehicles or merchandise for sale shall be displayed within any required yard.
- D. There shall be no broadcast of continuous music or announcements over any loudspeaker or public address system.
- E. On all sides adjacent to a residential district, there shall be provided a masonry wall of face brick or a pressure treated, completely obscuring wood fence, as approved by the Planning Commission.

### Conclusions

Based on the Findings of Fact, the information provided in its application and the representations made by the applicant The Planning Commission hereby approves this Special Land Use Permit subject to the following conditions.

### Conditions

The Planning Commission further requires the following conditions in addition to compliance with the approved site plan with respect to approval of the Special Land Use:

1. The applicant will replace trees along the rear lot line required in the 2001 site plan that are missing
2. A replacement sign is approved provided the only change is to the existing sign face, and the replacement sign face shall be no larger than the existing one.
3. The site plan will be revised to note that the proposed security fence will be chain link and no taller than 9 feet
4. The site plan will be revised to note the 25-foot easement along M-24
5. The applicant will provide address numbers on the building at least 6 inches' high

6. The site plan will be revised to eliminate spaces 10 and 11 along the entrance drive as display area
7. The site plan shall be revised to verify the location of the loading and unloading area in the rear
8. The site plan shall be revised to verify the location of the dumpster enclosure in the same area as previously shown
9. The maximum number of salvage vehicles allowed on site at any one time is two.

**On Behalf of the Metamora Township Planning Commission**

Permit issued on this 13<sup>th</sup> day of April, 2016 on a Motion by Ann Derderian, Supported by Kevin Knisely.

Ayes: 7

Nays: 0

Absent: 0

Motion Carried

METAMORA TOWNSHIP  
PLANNING COMMISSION

By: \_\_\_\_\_  
George Nash, Chairman

Conditions of Permit Accepted on this \_\_\_\_\_ day of \_\_\_\_\_, 2016

By: \_\_\_\_\_  
Daniel Agnew/Victory Custom Trailer