

**EATON COUNTY
PLANNING COMMISSION
October 1, 2024**

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: Scott Hansen, Ben Tirrell, Lisa Lawitzke, Ray Whitaker, Ed Kemp, Tim Cattron, Zachary Dillinger, Frank Holmes, and Brian Ross

Staff Present: Brandy Miller, Tammy Alger, and Chris Garrison.

Agenda Approval: A motion was made by **Commissioner Tirrell** to approve the agenda for the October 10, 2024 meeting. **Commissioner Dillinger** supported. Motion carried.

Minutes Approval: A motion was made by **Commissioner Cattron** to approve the August 6, 2024 minutes. **Commissioner Hansen** supported. Motion carried.

Public Comments: None

Public comment closed: 7:01 p.m.

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

CU-10-24-5: Request by Jason and Rebecca Detweiler, for a Conditional Use Permit to operate a Sawmill per Zoning Ordinance section 14.1 Agricultural Business at 5789 W. Kinsel Highway, Section 6, Carmel Township.

Staff Report: Ms. Miller read the staff report and site plan review responses from the Eaton County Road Commission, The Building Official, and the City of Charlotte Fire Department into record.

Applicant Statement: Mr. Jason Detweiler stated he had no other information to add but would answer any questions. **Commissioner Tirrell** asked where the parking spaces would be. Mr. Detweiler stated the parking would be between the marked driveway and building five. **Commissioner Cattron** asked if the sawdust would be stored on site or bagged immediately. Mr. Detweiler stated the sawdust would be openly stored on site. **Commissioner Cattron** asked if the piles of sawdust create a lot of dust being exposed. Mr. Detweiler stated the sawdust typically stays where it's at but will drift on a windy day.

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: 7:10 p.m.

Commissioner Tirrell asked for more information on The Eaton County Road Commission comment. Ms. Miller stated the Road Commission hasn't inspected the driveway yet to ensure it meets the commercial driveway permit requirements. She stated his comment was included to make sure requirements would be met and included in the Conditional Use Permit.

Commissioner Holmes stated the applicant would best know where to put the driveway. **Commissioner Ross** stated the concern with the driveway would be matters of runoff and position of the driveway. Ms. Miller stated the width of a driveway for semi-truck traffic is going to be different than the width of a driveway for a passenger vehicle. She stated The Eaton County Road Commission's comment was the most passive way to approve the request but still ensure that the Road Commission requirements were complied with.

Commissioner Tirrell moved to approve CU-10-24-5 a request by Jason and Rebecca Detweiler, for a Conditional Use Permit to operate a Saw Mill per Zoning Ordinance section 14.1 Agricultural Business at 5789 W. Kinsel Highway, Section 6, Carmel Township, with the following conditions:

1. The Eaton County Road Commission Requirements be Met.
2. Parking spaces be included on the site plan.
3. 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.
4. This Conditional Use Permit is granted to Jason and Rebecca Detweiler for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Holmes supported the motion. A roll call vote was taken with nine (9) voting aye and none (0) voting nay. Motion carried.

CU-10-21-8: Request by Laura and Brian Jackson for a Change of Conditions to an existing Conditional Use Permit which allows for the operations of Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township. The specific request is to construct an accessory building for personal use only.

Staff Report: Ms. Miller read the staff report into record.

Applicant Statement: Ms. Laura Jackson stated the barn that was originally approved will be too small. She stated her husband needs more room, and they would like to increase the size of the barn to at least a 32' x 48'.

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: 7:20 p.m.

Commissioner Dillinger asked if the conditions approved on the previous CUP would still apply to the proposed new building. Ms. Miller stated the six month deadline will be extended from today's date, but a building permit must still be applied for.

Commissioner Ross stated he was concerned that allowing for latitude in the structure size may set a precedent for doing so in the future. Ms. Miller stated latitude has been granted in the past for personal use Conditional Use Permits.

Commissioner Whitaker moved to approve CU-10-21-8 a request by Laura and Brian Jackson for a Change of Conditions to an existing Conditional Use Permit which allows for the operations of Agricultural Business (large animal boarding) per Section 14.1 of the Zoning Ordinance at 2495 Kemler Road, Section 28, Eaton Rapids Township. The specific request to construct an accessory building for personal use only, with the following conditions:

1. Allow latitude for staff to work with the property owner on end resulting size of the proposed pole barn as long as the barn meets the requirements of the Zoning Ordinance and partnering agencies.
2. 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.
3. This Conditional Use Permit is granted to Laura and Brian Jackson for the above-described use only. It is not transferable per the Zoning Ordinance.

Commissioner Lawitzke supported the motion. A roll call vote was taken with eight (8) voting aye and one (1) voting nay. Motion carried.

DCA-10-24-5: Request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.19 S), Article 6 General Provisions (amend Sections 6.2.10 B, 6.2.10 C & 6.7) Article 7 Land Development Districts (amend Sections 7.4A.1, 7.4B.1, 7.4C.1, 7.4C.3, 7.7 Table A & 7.7.8), Article 14 Specific Provisions and Requirements (amend Sections 14.26 rental Storage Building and 14.37 Light Automotive, Small Engine Repair & Automotive Body Shop) and Article 17 Bufferyards (amend Section 17.7.1).

Staff Report: Ms. Miller read the staff report and Chester Township comment into record.

Commissioner Whitaker stated changing the verbiage in Section 6.2.10 B seems too restrictive by not allowing a rental at any time. He stated family might need to house relatives. Ms. Miller stated the purpose of an accessory dwelling unit is specifically to house a relative.

Commissioner Whitaker asked if another address would be issued for the accessory dwelling unit. Ms. Miller stated yes, an address is requested at time of issuance.

Commissioner Dillinger moved to approve DCA-10-24-5 a request by Eaton County Planning Commission to amend the Eaton County Land Development Code (Zoning Ordinance). Amendments are proposed to the following: Article 5 Definitions (amend Sections 5.3.19 S), Article 6 General Provisions (amend Sections 6.2.10 B, 6.2.10 C & 6.7) Article 7 Land Development Districts (amend Sections 7.4A.1, 7.4B.1, 7.4C.1, 7.4C.3, 7.7 Table A & 7.7.8), Article 14 Specific Provisions and Requirements (amend Sections 14.26 rental Storage Building

and 14.37 Light Automotive, Small Engine Repair & Automotive Body Shop) and Article 17 Bufferyards (amend Section 17.7.1).

- A. Identifiable conditions related to the application have changed to update and maintain the zoning ordinance.
- B. Error was not made in the original Ordinance; this change is to update and maintain the zoning ordinance.
- C. There are no possible effects which may result from the approval of the amendment.
- D. There is no impact from the approval of this amendment.

Commissioner Cattron supported the motion. A roll call vote was taken with nine (9) voting aye and none (0) voting nay. Motion carried.

Other Business: Ms. Miller stated she sent emails to member of the Planning Commission regarding Citizen Involvement Applications. She asked that the applications be completed and returned to her. Ms. Miller stated the applications are for commissioners whose terms are expiring. She stated she will re-send the applications.

Ms. Miller stated she did not include last month's Public Works and Planning Report but she will send it tomorrow. Ms. Miller stated the inspections for the department have been status quo, there are quite a few enforcements, and two court orders for junk enforcements.

Ms. Miller stated the Board of Appeals did not meet this evening due to lack of business. Ms. Miller stated there are no applications to be heard in November for either the Board of Appeals or the Planning Commission at this time.

The meeting adjourned at 7:37 p.m.