

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

810-659-0800

FAX: 810-659-4212

PLANNING COMMISSION MEETING

DATE: SEPTEMBER 14, 2009

TIME: 7:00 P.M.

WEB ADDRESS <http://www.flushingtowship.com>

MEMBERS OF PLANNING COMMISSION

Mark J. Newman, Chair

Richard Buell

Jerome Doyle, Vice Chair

Ronald Flowers

Eric Swanson, Secretary

David Gibbs

Mark Purkey, Board of Trustee Representative

Julia A. Morford, Recording Secretary

PRESENT: Newman, Doyle, Swanson, Flowers, Gibbs, Purkey, and Morford

ABSENT: Buell

OTHERS PRESENT: 4 other individuals

I. MEETING CALLED TO ORDER at 7:00 p.m. by Planning Commission Chair
MARK NEWMAN with Roll Call and the Pledge to the American Flag.

II. ADOPTION OF AGENDA: FLOWERS MOVED, seconded by Purkey to adopt the
Agenda as submitted. **MOTION CARRIED.**

III. APPROVAL OF MINUTES OF AUGUST 10, 2009: PURKEY MOVED, seconded
by Flowers to approve the Minutes of August 10, 2009 as amended. **MOTION CARRIED**

IV. UNFINISHED BUSINESS:
None

V. NEW BUSINESS:

1. Brian Grappin, 8515 Wesley Drive, Flushing, MI 48433

Informal Hearing regarding a Home Occupation.

Mr. Grappin was not in attendance.

2. John Severance, 9436 W. Pierson Road, Flushing, MI 48433

Informal Hearing regarding a Garage on the Front Side of His House

MR. JOHN SEVERANCE (SEVERANCE) was present for an informal hearing regarding constructing a garage in front of his home at 9436 W. Pierson Road, Flushing, Michigan.

CONSTRUCTION OF THE PROPOSED GARAGE:

- a. 25' x 32' wood structure
- b. Same color, vinyl siding, shingles, and trim as the house

QUESTIONS/COMMENTS/CONCERNS FROM THE PLANNING COMMISSION MEMBERS:

1. From the drawing, produced by **SEVERANCE**, of the proposed garage, the west property line would only be five (5) foot from the property line?
2. Would the driveway be concrete?
3. What would be the use of the proposed garage?
4. How would an emergency vehicle get behind the home?
5. Is there an existing building in back of the proposed garage.
6. **DOYLE** stated the original reason for the approval of garages in the front of the homes was to allow residents, who lived along the Flint River, to put garages in the front of the homes because the homes had the long driveways, rather than alongside the home, since the river was in back of the home. It didn't bother any other houses because the setbacks were per the ordinance. There are no out buildings placed in front of the homes along W. Pierson.
7. Is the 58' setback, per the drawing, from the center of the road or the edge of the driveway pavement?
8. Having the garage in front of the home on Pierson Road goes against the township ordinance.
9. What is the distance from **SEVERANCE'S** home to the farm on the North side of his (Severance) property? Are there silos on the property?
10. **SEVERANCE** showed the Commission members several pictures of other properties which he had obtained with garages in the front yard.
11. **DOYLE** stated the proposed garage could be brought to the South a little from the existing home but still be attached to the home.
12. **SEVERANCE** wanted to use the existing concrete turn around for the proposed garage floor.
13. **SEVERANCE** was requesting something that went against the ordinance because putting garages in front of the homes (on Pierson Road) upset the rest of the residents' property setbacks.
14. Precise measurements were requested from the middle of the road to the proposed garage and from the East property line.
15. **NEWMAN** recommended extending the drawing that had previously been drawn.

16. **FLOWERS** recommended **SEVERANCE** contact the Genesee County Road Commission to get the property right-of-way measurements for Pierson Road because it could be more than thirty-three (33) feet.

17. **SWANSON** recommended **SEVERANCE** first locate the property monuments of his property.

18. **FLOWERS** was not in favor of placing the proposed garage in front of the house because it would set a precedence for garages in the front yard; if it was a hardship case, it would be different but **SEVERANCE** has a lot of property.

19. **SWANSON** felt two (2) variances were being requested: 1) garage in the front yard and 2) decrease of side setback from ten (10) foot to five (5) foot. The variance required ten (10) foot from both side property lines.

20. **DOYLE** stated **SEVERANCE** should find the front set back to see if it was a fifty (50) foot set back from the center of the road.

21. **NEWMAN** stated in a normal situation the next step would be to fill out the building permit application, and have the Supervisor sign it then come back to the Planning Commission for approval/denial. If approved, the State Building Inspector would assist with the building permits, inspections, etc. as if **SEVERANCE** was a regular applicant off the street. Currently, the proposed structure does not comply with the township ordinance.

22. **DOYLE** stated that if **SEVERANCE** complied with the ten (10) foot side setback and the garage was to be attached to the home, he (Severance) would not need a variance. **SEVERANCE** would then go through a regular building permit procedure.

23. **NEWMAN** stated if the garage was attached to the home it would be considered part of the home. If the garage was unattached and in the front of the home, it would not comply with the ordinance.

MR. SEVERANCE will return to the November 2009 Planning Commission Meeting for a formal meeting.

3. **Gary Johnson, 11344 W. Carpenter Road, Flushing, MI 48433**
Informal Hearing regarding pole barn on the front side of the house.
Mr. Johnson was not in attendance to present his case.

4. **Ray Webber (Webber)**, was not on the agenda, but was in attendance to inquire about a Child Day Care/Adult Assisted Living facility at 7373 N. Seymour Road, Flushing Michigan 48433

QUESTIONS PROPOSED TO THE PLANNING COMMISSION REGARDING THE PROPOSED CHILD DAY CARE/ADULT ASSISTED LIVING FACILITY:

Mr. Webber presented the facts:

1. Would like a Child Day Care operation in the basement of the home and an Adult Assisted Living facility in the upper section of the home.
2. Would be requesting a permit for six (6) people from the State of Michigan.
3. Existing home (7373 N. Seymour Rd) is currently a licensed day care facility.

4. **MR. WEBBER** inquired if there was an ordinance that would prevent having a child day care center in the basement and an assisted living facility in the upper portion of the home. Each facility would have its own separate entrance.
5. The State has no problem with the arrangement.
6. The home is currently ADA rated.
7. The proposed day care would have a time frame for the children to be picked up at 5:00 p.m.
8. There would be an Adult Assisted Living Quarter in the upper portion of the home and would consist of six (6) people that would not need cars.
9. The proposed child day care/adult assisted living home is located on four (4) acres of land.
10. Mrs. Jaunta Uptegrff, a registered nurse, would be living in the home.
11. The licensing request would go through the State; if the State approved the request, the Planning Commission would get involved only with such issues as set backs, fencing, issues dealing with the dropping of and picking up of the children.
 - a. the back yard is completely fenced.
12. The Purchase Agreement for the home is contingent upon the State approval and there not being a Flushing Township Ordinance that would prohibit the home being a child day care/adult assisted living facility.
13. The State has control of the Assisted Living Center
14. **DOYLE** recommended Mr. Webber receive the ordinances (including the sign ordinance) and other details that he needed that pertained to the specific request.
 - a. most signs are not lighted in the township due to the area being residential.
15. **SWANSON** thanked Mr. Webber for coming before the Planning Commission to obtain all the details; when he (Swanson) was Code Enforcer Officer, there was an incident where a child had been bit by a dog at a day care center.

VI. PUBLIC COMMENTS:

8:01 P.M. – OPENED TO THE PUBLIC FOR NON-AGENDA ITEMS

8:02 P.M. – CLOSED TO THE PUBLIC FOR NON-AGENDA ITEMS

VII. BOARD COMMENTS:

1. **DOYLE** stated he had received a lot of propaganda concerning subsidized issues by the government including the wind mills. The system is very expensive to get off the ground but doesn't cost that much with the subsidized method. It is good to continue to find places to get energy, but Michigan already has it going for them.
2. **SWANSON** stated the Planning Enabling Act has to be completed. *(TO DO LIST)*.
3. **NEWMAN** stated he had stopped at a restaurant in Leroy, Michigan and on the place mat was an advertisement named *Wind Power* owned by Ms Tammy Stoner, whose email is michiganwind@yahoo.com . Also there is a place in the thumb that deals with the trade organizations pushing the government to go green; all the publicity with the

different municipalities, having their own wind power ordinances, has been hurting their business. . The “GREEN” is being crammed down everyone’s throat.

4. **DOYLE** stated the building and auto business has been getting increasingly better over the years dealing with safety without the government having to step in. Example: there has been was a lot of insulation in homes; now the government wants to super insulate so much there has to be more outside air drawn into the home. It has gone pass what has to be done and be within a reasonable amount of insulation. It cost \$5,000 more for each home that is built.
5. **NEWMAN** stated the sprinkler system would protect everyone.
6. **SWANSON** stated now there are recovery fees where no approval is needed. At one time the fees cost more.

VIII. MEETING SCHEDULE: NEXT REGULAR SCHEDULED MEETING WILL BE HELD ON MONDAY, OCTOBER 5, 2009 AT 7:00 P.M.

FUTURE MEETINGS:

REGULAR SCHEDULED MEETING – MONDAY, OCTOBER 5, 2009 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, NOVEMBER 9, 2009 AT 7:00 P.M.

REGULAR SCHEDULED MEETING – MONDAY, DECEMBER 14, 2009 AT 7:00 P.M.

IX. ADJOURNMENT: Due to lack of business matters, **NEWMAN** adjourned the meeting at 8:13 p.m.

MARK J. NEWMAN, Chair

JULIA A. MORFORD, Recording Secretary

ERIC SWANSON, Secretary

Date of Approval