

Leighton Township Planning Commission Minutes

Date: May 12, 2021, 7:00 PM

Members Present: Tom Smith, Ben Potts, Harry DeHaan, Matt VanderEide, Stephen Shoemaker

Members Absent: John Hooker (with notice)

Also Present: Planner Andy Moore from Williams & Works, Zoning Administrator Lori Castello from PCI plus 7 members of the public and/or applicants.

1. **Call to Order:** The meeting was called to order by Chairman Harry DeHaan at 7:00 PM
2. **Approval of Minutes from April 14, 2021.** Minutes were accepted as presented.
3. **Public Comments for items not on the agenda:** None
4. **Inquiry of Conflict of Interest:** None
5. **Public Hearings:**
 - a. **Gary James Accessory Building.** Gary James was present. He is seeking special land use approval to construct an accessory building on his property located at 1036 137th Avenue. His property is 3.5 acres in the C-2 General Business district. The applicant is proposing to build a 4,320 square-foot (54' x 80') accessory building for storage. He retired in 2017. He has a pole barn that contains a workshop now and he also has a variety of cars, boats, motorcycles, jet skis, etc., that he has to store during the off-season so he is seeking an accessory building for his personal belongings. There The site currently has two other accessory buildings, which are roughly estimated to be 2,700 and 600 square feet. Because the total exterior ground floor area of accessory buildings would exceed the size permitted by right, the applicant has applied for a special land use permit in accordance with Section 3.11 (b) of the Zoning Ordinance.

Moore reviewed his report, noting that it met the standards of the site plan review and special land use standards.

DeHann opened the public hearing.

Dan Fifelski, on behalf of Gary James. He is the builder and also built the other existing buildings on the site. These would be an improvement overall and consistent with other buildings on the site. They are to the south of the house and it would not be visible from 137th. There are no proposed changes to the driveway or other aspects of the site. He also thinks the building will help to reduce noise from Division to the house.

VanderEide asked about the building materials, and if it would be similar to the other buildings. Fafelski responded that it would be better than what is existing as the other buildings are 20 years old, and these will be modern. It will be charcoal-colored steel and black trim.

DeHaan closed the public hearing.

Shoemaker asked about the consistency with the Master Plan. Moore responded that there is more commercial zoning in that area than is planned for, but that is a larger conversation that should occur outside of this application to ensure that there is sufficient agreement between the Master Plan and Zoning Ordinance.

DeHaan asked about the driveway. James indicated that they would be using the existing driveway.

Motion by Potts to approve with the following conditions:

- 1. No demolition or earthwork shall be undertaken on the site until a building permit has been issued consistent with this site plan approval.**
- 2. Prior to the issuance of any permits, the applicant shall have paid all application, permit, and other fees related to this request.**
- 3. Any stipulations of the Leighton Township Fire Department and Township Engineer shall be met.**
- 4. The proposed accessory building expansion shall not exceed 35 feet in height, as required in Section 7.04.**
- 5. Any outdoor light fixtures shall be full cut-off features and comply with Section 18.05 of the Zoning Ordinance.**
- 6. Building materials shall be compatible with the existing accessory buildings and surrounding character of the area, and submitted for approval by the Zoning Administrator.**
- 7. Only personal items shall be stored in the building; no commercial storage or activities are permitted.**

The motion was supported by Smith and carried 5-0 with all members voting yes.

6. Old Business:

- a. Accessory Dwelling Units (ADUs).** Following up on a discussion from last month, Moore and Castello had provided the commission with several examples of ordinances on accessory dwellings of varying degrees of regulation. Some only allowed a manufactured or mobile home, while others were reserved for guests or hardship cases only, and others were less restrictive. Each was reviewed in detail and a lengthy discussion ensued related to occupancy, sizes, the type of housing provided, timelines, etc. Commissioners will review the ordinances provided and come back with notes related to what they like and don't like.

7. Public Comments:

- 8. Tammy Whitsell, 4268 Spring Hill court.** She asked about the status of Harvest Meadows II Condominiums. Moore indicated that the Township is still waiting on the applicant to submit copies of all applicable permits from the County, state, sewer authority, etc.

Fern O'Beshaw noted that that the Dorr Leighton Sewer Authority Board meets next week and is hoping to have comments back after that.

Moore indicated that depending on what other approvals are received this could be on the agenda for possible action in June.

9. Correspondence: None

10. Commissioner Comments: None

- 11. Adjournment. Motion by Potts to adjourn. The motion was supported by VanderEide and carried via a voice vote with all members voting yes.**

The meeting was adjourned at 8:18 PM.

Respectfully submitted,

Andy Moore, AICP
Leighton Township Planner