

Denton Township Planning Commission
Denton Township
November 14, 2017

Case #2017-003PC – Special Use Permit-Conditional Use
Kohangelo Group, LLC
Property #72-003-026-007-0060

Case #2017-004PC – Special Use Permit-Conditional Use
Shirley Dankert/James Bowman-Motor Mart
Property #72-003-016-004-0040

Case #2017-005PC – Site Plan Review
Kent Straub
Property #72-003-012-009-0025,
#72-003-012-0090-0030 &
#72-003-012-009-0032

Medical Marihuana Act

2018 PC Meeting Dates Set

A legally advertised meeting of the Denton Township Planning Commission was called to order in the Denton Township Hall by Chairman Fred Chidester at 10:00 a.m.

Commissioner Members Present: Chairman Fred Chidester, Carol Asher, Joyce Golden, Paul Tiepel and Jim Braid (10:08am).

Commissioner Members Absent: Jim Debo and Morry McLain.

Others Present: Lisa Tatangelo representing Randy Kohn/Kohangelo Group, LLC, Leiman Huntington, Dustin Bowman, Kelly Bowman, Kent Straub, Kim Akin, Dorothy Sunman, Mr. Breyer, Dave & Jan Metzner, Joel Neorr, Mike Kopischka, Zoning Administrator Rachael Barnes and Secretary Theresa Wagner.

Motion by Golden supported by Asher to approve today's agenda as presented.

Ayes 4 Nays 0 Absent 3 Motion Carried.

Motion by Asher supported by Tiepel to approve the minutes of the Regular Planning Commission meeting held October 10, 2017 as presented.

Ayes 4 Nays 0 Absent 3 Motion Carried.

Board Member Jim Braid arrived at 10:08 a.m.

Chairman Fred Chidester read the following guidelines to be followed:

The Zoning Administrator will give the staff presentation.

The applicant or their agent will state their case fully and furnish the Planning Commission with pertinent information concerning this request.

Following the presentation by the applicant, comments from the audience will be accepted under the following guidelines:

1. All statements or questions from the floor must be directed through the Chairperson.
2. Presentations from the floor will be limited to 5 minutes or less.
3. Each person making a statement will be asked to state their name and address.
4. The Board reserves the right to question any speaker.
5. Be as brief and factual as possible.
6. Please refrain from repeating what has been said before and please do not involve personalities.
7. Those in favor of the request will be heard first.
8. Those opposing the request will be heard last.

At the conclusion of the floor presentations, the chairperson will close the meeting to the public, and the Planning Commission will deliberate the matter and arrive at a decision at today's meeting.

Case #2017-003PC.

Randy Kohn of Kohangelo Group, LLC requested a Special Use Permit (Conditional Use) to build a 50' x 100' accessory building for storage and auxiliary use to the primary building (Restaurant/Bar/Event Center) located at 4329 S Gladwin Road, Prudenville, MI, (Prop #72-003-026-007-0060). Zoning Administrator Barnes stated the property is zoned Forest Rural and Mr. Kohn would like to build it behind the existing restaurant/bar. It will have a 12' x 100' lean-to on the north side of the accessory building, to store and protect outdoor equipment such as picnic tables, etc. This building is only permissible if the restaurant is opened back up.

Ms. Tatangelo, representing for owner Mr. Kohn, stated Mr. Kohn plans to utilize the new accessory building as additional use to the

primary building for assorted parties, receptions, overflow, etc. She stated that Mr. Kohn has put a lot of money into the building and the purchasing of restaurant equipment, etc., to start the renovation of the restaurant. The previous owners had gutted the building of all the appliances, fixtures, etc.

Chairman Chidester asked for comments from the floor for or against the request.

Dave Metzner, vacant property owner immediately to the south of the property in question, asked why the building had to be so large. He feels it would be blight at that size.

Dorothy Sunman, 4210 W Emery Road, stated she also feels it is a very large building if in fact Mr. Kohn is not going to reopen the restaurant. Ms. Tatangelo stated that Mr. Kohn is indeed reopening the restaurant. Zoning Administrator Barnes reiterated that the accessory building is only being brought to the Planning Commission because Mr. Kohn is reopening the restaurant, within the time frame of one (1) year. If the existing building were to be utilized for some other use, it would require approval of the Zoning Board of Appeals, as well as other stipulations.

Mr. Breyer asked where exactly the accessory building would be placed. The building will be placed behind the existing restaurant, to the SE of the building.

Kim Akin asked if they have asked for approval to reopen the restaurant. Barnes stated that she spoke to Township Zoning Attorney Fahey, and because the use of the building as a restaurant is continuing, he is permitted to continue that use.

Braid asked if there would be additional restrooms. Ms. Tatangelo stated there were no plans to add more restrooms at this time. They have thought of bringing in portable toilets for certain events. Otherwise, the patrons would use the restaurant bathrooms. Discussion followed.

The meeting closed to the floor at 10:18 a.m.

Chairman Chidester asked for comments from the Board.

Braid stated the septic tank for that restaurant was never designed to take care of a tenant in the upstairs quarters. Ms. Tatangelo stated the upstairs apartment will not be rented out. Mr. Kohn may use it now and then, but he has a primary residence in Chesterfield Township. Braid added that if the apartment were to be used, he may need to speak with the Health Department on the septic situation.

Tiepel asked if the new structure will match the color/siding/roof as the restaurant. The answer was yes, it will match in color, metal roof and vinyl siding. Tiepel also asked if there would be any fire suppression since this is such a large building, and Mr. Huntington stated he believes Mr. Kohn spoke of having overhead sprinklers. He added there will be two (2) overhead garage doors and two (2) service doors on the new accessory building.

Asher stated this plan meets the criteria for the Planning Commission to approve this request provided the restaurant is open within (1) year from this date. Mr. Kuhn would have to adhere to all codes/laws through the Houghton Lake Building Agency, Roscommon County Health Department, and any other agencies needed when he gets to that point.

Golden stated the lean-to was not drawn on the original application/sketch that the Board received in their packet prior to the meeting, but does now see it is on the new plans.

After discussion,

Motion by Braid supported by Asher to approve the request of Randy Kohn of Kohangelo Group, LLC., for a Special Use Permit (Conditional Use) to build a 50'x 100' accessory building for storage and auxiliary use to the primary building (Restaurant/Bar/Event Center) located at 4329 S Gladwin Road, Prudenville, MI, (Prop #72-003-026-007-0060) as requested, provided the existing restaurant is open for business by November 14, 2018 (one (1) year).

Ayes 5 Nays 0 Absent 2 Motion Carried.

Case #2017-004PC.

James Bowman (Shirley Dankert-owner) requested a Special Use Permit (Conditional Use) to display and sell carports at their business (Motor Mart), located at 1750 W. Houghton Lake Dr., Prudenville, MI, (Prop #72-003-016-004-0040). Dusty Bowman, representing his father, James, stated they currently have two (2) carports on display; one on the roadside, and one on the side lot. He stated the carports are selling very well, is a great addition to the business and help generate more income. He plans to have no more than two (2) carports on display at any one time.

Chairman Chidester asked for comments from the floor for or against the request.

Mr. Metzler stated he thinks it is a good addition to the township.

The meeting closed to the floor at 10:35 a.m.
Chairman Chidester asked for comments from the Board.

Tiepel asked how far off the road is the existing front carport display. Mr. Bowman stated the carport sets back 8 ft. from the telephone pole and it has no walls on it, therefore sight issues are not an issue. In addition, there are no side roads exiting out M-55 near the business. Zoning Administrator Barnes stated the setback off the front lot line is normally 25 ft.

Asher stated she did not have a problem with the request. Golden concurred.

Braid stated he would like to see no more than one tractor under a display. Mr. Bowman stated they only put a tractor under a display when they want to keep it out of the weather while they work on another tractor in the shop. Mr. Bowman also added that they are now leasing the property next to the business to use only for parking of tractors.

After discussion,

Motion by Asher supported by Tiepel to approve the request of James Bowman (Shirley Dankert-owner) for a Special Use Permit (Conditional Use) to display and sell carports at their business (Motor Mart), located at 1750 W. Houghton Lake Dr., Prudenville, MI (Prop #72-003-016-004-0040) as requested provided there are no more than two (2) carports displayed at any one time and maintain at least the 8 ft. setback from the lot line.

Ayes 5 Nays 0 Absent 2 Motion Carried.

Case #2017-005PC.

Kent Straub requested approval to amend site plan from 2003 to combine parcels #72-003-012-009-0025, #72-003-012-009-0030 & #72-003-012-009-0032 of part of the “future development” with the existing garage condominiums for Crown Garage Condominiums into one parcel. The lots are located on Short Drive, Prudenville, MI. They will be using the existing driveway and will build as they are purchased. A sign will be erected in the future. Discussion followed.

The Board concurred the project meets all guidelines and had no objection to the request.

Motion by Braid supported by Tiepel to approval the request of Kent Straub to amend site plan from 2003 to combine parcels #72-003-012-009-0025, #72-003-012-009-0030 & #72-003-012-009-0032 of part of the “future development” with the existing garage condominiums for Crown Garage Condominiums into one parcel as requested.

Ayes 5 Nays 0 Absent 2 Motion Carried.

Medical Marihuana Act.

Asher briefed the Planning Commission members on the Public Hearing held by the Denton Township Board on Monday, November 13, 2017 regarding the Medical Marihuana Act PA 281 of 2016 authorizes Townships to approve five (5) types of facilities which are: grow facilities, processor, transporters, provisioning centers (dispensary) and safety testing facility. The Township has three (3) options which need to be decided by the Township Board, and they would like the recommendation of the Planning Commission on this subject. The three options are:

1. Adopt an ordinance allowing any of the facilities listed above
2. Adopt an ordinance stating that there can be no facilities allowed in the Township
3. Do nothing at this time

Discussion followed on the fact that the rules/regulations from the State keep changing almost on a daily basis, and the Board concurred at this time the best option would be to do nothing. After discussion,

Motion by Braid supported by Tiepel to recommend to the Township Board to take no action at this time.

Ayes 5 Nays 0 Absent 2 Motion Carried.

2018 Planning Commission Meeting Dates.

Motion by Golden supported by Braid to approve the 2018 Planning Commission meeting dates to be set for the 2nd Tuesday of each month, as presented.

There being no further business,
The meeting adjourned at 10:54 a.m.

Respectfully submitted,

Theresa M. Wagner, Secretary