

Minutes of the Meeting of the Avon Township Planning Commission
June 26, 2013
Avon Township Hall (16881 Queens Road, Avon)

Call to Order: Chairman Mergen called to order the regular meeting of the Avon Township Planning Commission at 7:30 PM in the Main Chamber of the Avon Township Hall.

Pledge: Clerk Saupe led the Pledge of Allegiance.

Roll Call: Present: Gerry Kremers, Will Huston, Ken Mergen, Roger Nelson, Stephen Saupe

Approval of Agenda: Huston moved to approve the agenda as presented. Kremers second. All in favor. Motion carried.

Approval of Minutes: Mergen moved to approve both the minutes of the May 29, 2013 site inspection and the minutes of the May 29, 2013 meeting. Nelson second. All in favor. Motion carried.

Public Hearings: Mueller Variance. At 7:45 PM Chair Mergen called to order a public hearing to consider a request by Teresa and Jonathan Mueller for a variance to construct a garage 13 feet closer to the road than current ordinance permits. Ms. Mueller was present to summarize the request. Mr. Richard Bresnahan stated that the Supervisors examined the site during a road inspection and the proposed project would not impede snow removal and still fit the site. There were no other public comments. Mergen moved to close the public hearing. Nelson second. All in favor. Motion carried.

Neighbors within 900 feet of the property (except those in Water's Edge) were notified of the public hearing. Twenty-four letters were sent. The hearing was posted on the Township website and in the legal posting places. No comments, written or otherwise, were received outside of the hearing.

The Board discussed the Criteria for Granting Variances and determined that: (1) the issuance will not allow a use that is prohibited in the zoning district; (2) the variance is in harmony with the general purpose of the applicable ordinance; (3) the variance is compatible with the comprehensive plan; (4) the variance is necessary to alleviate practical difficulties from strict enforcement of the applicable ordinance; and (5) the proposal does not involve only economic hardship.

The Findings of Fact were: (1) the proposal is not consistent with existing Township ordinances which is the reason for the hearing; (2) the proposed garage should be no closer to the road than the existing garage; (3) the proposal is compatible with future land use; (4) no screening or separation distance is required; (5) there shouldn't be any potential environmental impacts; (6) the proposal will not generate excessive traffic (7) the proposal conforms to the Comprehensive Plan; (8) the proposal will not negatively impact public services and facilities; and (9) no cleanup is necessary.

Nelson moved to recommend to the Supervisors approval of a variance for Jonathan and Teresa Mueller to construct a garage closer to the road than current ordinance permits with the condition that the new garage be no closer to the center-of-the-road than the existing garage on the site. Huston second. All in favor. Motion carried.

Scheduled Business

1. **Merdan Preliminary Plat** – Mr. Eric Merdan presented a preliminary plat for his proposed home on Cty Rd 51. Mergen moved to recommend to the Supervisors approval of the preliminary plat for Mr. Eric Merdan. Kremers second. All in favor. Motion carried.
2. **Fuchs Septic** – Mr. Eb Fuchs submitted a request for a new septic drain field to encroach six feet into the Pelican Lake Road right-of-way. Mr. Fuchs could not attend the meeting but provided hand-drawn documents showing the proposal. A better drawing and more information are necessary before action can take place. For example, the committee needs to know who will design the system, the soil types and whether a soil boring was performed, and evidence to support the distances cited in the documents. Members agreed that a professional septic plan would be appropriate. Nelson moved that the information and drawings provided by Mr. Eb Fuchs to evaluate his request to site his septic in the Pelican Lake Road right-of-way were inadequate and he should resubmit the proposal to the Planning Commission next month. Kremers second. Four in favor. One (Saupe) opposed. Motion carried.
3. **Planning Commission Procedures** – There was a discussion on what issues should come to the Planning Commission prior to the Supervisors. The general consensus is that there should be a general procedure followed by all. Residents with requests that arrive after the Planning Commission meeting can request a special meeting.
4. **TDR Transfer** – a resident wants to split and build on a 20-acre parcel using a building credit from a different township. This is not permitted by Township Ordinance.
5. **Road Issues** – no new problems following the recent storms were identified.

Other / Old Business

1. Review and revise road listing – this task needs to be clarified.

Reports / Announcements

- A sound barrier will be installed in the City along I-94 to reduce noise. Residents will pay 10% of the cost.
- Supervisor Bresnahan reported that the township land and salt shed had been sold for a fair price. The proceeds will be used to build a new salt on the Town Hall site.

- Kurtzman Access Road – The Kurtzman’s recently filed a legal complaint against the Township. This will be an ongoing issue and Planning Commission members may, at some point in the future, be asked to testify or get involved in planning for a potential cartway.

Adjournment: Kremers moved to adjourn the meeting at 9:17 PM. Mergen second. All in favor. Motion carried.

Next Meeting: The next meeting is July 31, 2013 at 7:30 PM

Respectfully submitted,
Stephen G. Saupe, Clerk

Ken Mergen, Chair

date

Attest:

date